

# The Nation.

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## The Week.

THERE has been no more light thrown on the Vienna scandal by the Government during the week, and the feeling grows stronger that the State Department ought to make some further explanation; but this it cannot do until it receives the report of the Commission of Enquiry. General Van Buren has written another letter, this time to the *Tribune*, which is much more temperate than his letters to the State Department, but is of the like tenor and effect, and tells nothing new—that is, he denies everything, and relies much on his services to the Commission and the Republican party. The *Tribune* has, however, received a letter from Mr. William J. Stillman, who is well known to readers of the *Nation*, which does clear up a good deal. It has, he says, been proved that Meyer, who is General Van Buren's head man, did attempt to get money, in the shape of a "loan," from persons applying for a concession for a restaurant, and did get \$1,000 in this way, without receipt or memorandum, from one Hitzel, and that concessions were made to two persons named Boehme and Wiele for bar-rooms, for which they paid from \$2,000 to \$3,000 in the shape of "loans" and "school-house donations," part of which went to General Van Buren; but they found on their arrival that their concession was worthless. It is only since the investigation has been begun that attempts have been made to hush the matter up by treating the money as "loans," and offering to return it and so on. It appears, moreover, that Boehme and Wiele were to pay Meyer a percentage on all sales. These are, it would seem, specimen cases.

We think some additional light could be thrown on the case on this side of the water by a little enquiry, which we are surprised has not been made, into the character and antecedents of this Meyer. We believe it would be found that the selection of him by General Van Buren as his first-assistant was in itself a scandal and a ground for suspicion, and a sort of insult to the public. We will add another piece of information, not generally known, but suggestive in its way. General Van Buren, after receiving his appointment, did an excellent thing, which seemed to show that his mind was at that time turned in the right direction, by calling a meeting of distinguished men in the various departments of American production, whether industrial or artistic, at the Union League Club, to whom he expounded his views and from whom he sought advice. Out of these an advisory committee of thirty-one very well-known names was formed to assist him in his work in various ways, but their special duty was to be that of passing upon the general character and suitability of American contributions to the Exhibition. Had this committee done what it was expected to do, and was ready and willing to do, all would have gone well; but it is a positive fact that General Van Buren never convened it, and never held any further communication with it, and that the State Department never knew of its existence until about ten days ago. In short, instead of calling the representatives of American science, art, and industry about him, he put himself into the hands of the worthy Meyer, who went to work at once to prepare the way for American bars at Vienna, so as to give the Europeans a true and just idea of our renowned "mixed drinks."

Another Farmers' Convention has been held at Indianapolis, and on this occasion it seems to have been a meeting of real farmers, and not "an assemblage of thieves." The "National Agricultural Congress" is the name of the body, and it

"Recognizes as constituent bodies every form of society having for its

purpose the advancement of agriculture and the protection of the farmer, whether known as farmers' clubs, associations, Granges of husbandry, farmers' unions, or by whatever name they may be designated, as well as the National Department of Agriculture, the State Boards of Agriculture, and Agricultural Colleges."

Twenty-five States were represented by delegates in actual attendance, and the proceedings were marked by more than usual good sense. Among other things, the Congress passed resolutions "deprecating" the politicians' practice of receiving favors from railways, recommending the exclusion from the National and State Governments of the "proprietors and servants" of railways, recommending that efforts be made to secure the regulation by the General and State Governments of all railways, calling attention to various schemes for securing cheap transportation, and declaring

"That a railway being practically a monopoly, controlling the transportation of nearly all the country through which it passes, and that as competition, except at a few points, cannot be relied upon to fix rates, therefore it becomes the duty of the State to fix reasonable maximum rates, affording a fair remuneration to the transporter, and without being an onerous charge to the producer and consumer. That inasmuch as Belgium has succeeded in regulating the rates upon railways by government lines, we ask an investigation of the proposition to control the rates upon existing railways by trunk lines, built and controlled by the State authorities, and run at fixed, uniform, and cheap rates. That wherever a railway corporation owns or controls a line or lines in two or more States, it is the right and duty of the General Government to regulate the rates of freight and fare upon such lines, under the constitutional power to regulate commerce between the States."

The Congress wisely declined to make any recommendations as to the eight-hour law, and also refused to advocate any more land-grants to agricultural colleges. It also gave a proof of its honesty by refusing to adopt a resolution directing the appointment of a committee to request "the usual courtesies" of the railroads centering in Indianapolis, the sentiment of the delegates being apparently "that the people are distrustful of any man who carries a railroad pass in his pocket."

From the third annual report of the Secretary of the Congress, it seems that there are already 10,000 agricultural associations in the country, with an aggregate membership of 400,000 farmers—a statement which ought to give the public some idea of the importance of the present movement. It ought to be observed also that the popular notion at the East, that the Patrons of Husbandry and Grangers are poor men, laboring for their daily bread, and winning a scanty subsistence by hard manual toil, is entirely incorrect. The farmers of the West are, in reality, like the planters of the South (who, by the way, seem to have shown themselves at Indianapolis) capitalists and employers of labor, engaged in the business of production, in a manner almost as unlike that of the small farmer of the East as the business of the manufacturer of boots and shoes is unlike that of the old-fashioned shoemaker. As an illustration of the capitalist character of the class, we may say that the rejected eight-hour resolution to which we have just referred was not by any means a resolution favoring the eight-hour movement, but was directed against it. It was rejected because the members of the Congress felt that, as representatives of the labor-employing interest, it was impolitic to bring the movement into collision with the labor movement. The very slight interest shown now by the farmers in free trade is probably partly due to recollections of the disastrous result of the free-trade rising of last year, and partly also to the fact, which some of our contemporaries seem to forget, that real opportunities for a reversal of such a historical policy as protection only occur now once in four years.

The moderation shown by this Congress is all the more important because of the irrational excitement displayed in previous conventions. The farmers ought to be very careful about frightening investors by their way of talking and legislating against railroad

companies. They have already caused alarm on foreign markets which may do infinite mischief here by lowering the value of all American securities through seriously retarding the development of the Western country. The *London Times* is already blowing a blast of warning to the moneyed men, and the state of feeling in Germany is almost too bad for description. Grave doubts are expressed whether Europeans will send goods to the Centennial Exposition after the example that has been afforded in Vienna of the class of men we think competent to manage such undertakings and of which our juries would probably be composed. It is idle to suppose that judges nominated by caucuses for the express purpose of deciding in a particular way on questions of property, will command any more respect or confidence than Barnard or Cardozo. Western men know the value of capital, and they know the conditions on which it is obtained and kept, and they know where the West would be to-day if it had been unable to borrow or offer security to investors.

In Minnesota the cheap transportation question is going through a novel phase, the Supreme Court of that State having decided that the Legislature may fix maximum rates of freight, notwithstanding the Dartmouth College case and the "inviolability" of legislative contracts. The ground of decision seemed to be, that while the State grants a railroad by its charter an inviolable right to take some toll, it by no means gives the right to take any toll it pleases, and therefore may fix a maximum under its general regulative power. We have not seen a copy of the decision, but there seems some doubt that the *Tribune's* statement, that it is not in conflict with the recent Illinois case, is correct. The general notion has always been that railroads, just like any other common carriers, were bound to fix "reasonable" rates. Whether a State can create a commission with power to establish reasonable rates, and then make these rates conclusive, has never, so far as we know, been decided. At present, the only way to find out what is "reasonable" is for every shipper, in each particular case, to go into court, and litigate the question of fact before three or four juries, and, after they have all disagreed, pay his costs and counsel fees, a sadder but no wiser man.

An assault was made in the *Tribune* a week ago by an excited rhetorician, signing himself "Jan Vier," upon the police of the Central Park, in which he represented that the force had fallen into the hands of an impracticable theorist, who employed the men in what he called a "chain gang"—that is, in walking furiously around the roads, to the great injury of their health, the destruction of their happiness, and to the neglect of their proper duty of keeping order and giving information; and he described the Park as having become, under this régime, a noted resort for criminals of various classes, who committed theft, fornication, and highway robbery over its whole area almost unchecked, while fast and reckless driving was hardly interfered with, and in one case a boy in a boat was hit with a pebble. And the wretched wag even went so far as to express anxiety about the safety of his own children, who, he would have us believe, frequent that scene of iniquity. The letter was a very plausible document, of the Sub-Junius order, and appears even to have imposed in some degree on the editor of the *Tribune*, who backed it up by an enquiring paragraph. The revelations made by it were nearly as tartling, and quite as amusing to those who really use the Park, as those which Mr. Marvin H. Boyce makes about the small value we all set on our lives and our general readiness to be hanged; but they have had a good effect in drawing forth Mr. Frederick Law Olmsted from his honest seclusion to tell the public what he knows about the matter.

He says the robberies, assaults, fornications, and furious driving are figments of the worthy "Jan Vier's" imagination; that a police force has been compelled to do regular patrol duty to get the better of the habit of lounging and skulking on the "beats" bred by several years of "politics"

and one of Ring rule; that Mr. Olmsted is himself the youthful theorist who has introduced the change, or, in other words, the man who, sixteen years ago, organized the Park police, and furnished the discipline and rules under which, well or ill, it has since lived—and, indeed, the man who, more than any other, may be said to have made the Central Park the thing of beauty that it is; and that the force, now once more under his management, is well, hearty, and improving. He might have added that he was one of the very few men in the public service who give their whole hearts and minds to their duties, who eschew "politics" and all its intrigues, villainies, and rascalities, and do what they are employed to do silently, honestly, thoroughly; that he belongs, in short, to a very small class, which the American people will somehow have to enlarge and cherish within the next twenty years, if they mean to maintain anything worthy of the name of government, or prevent the "great experiment" from becoming one of the reproaches instead of one of the glories of liberty.

It has been discovered in the management of the Holly Tree Coffee Houses, that it is not possible to banish pie from any popular bill of fare in this country. The promoters of some of these useful establishments attempted, in the interest of health, to withhold this seductive compound from their customers, but it would not do, and they are now supplying it. The fact is that even a "movement" against pie would not succeed. If an anti-pie convention were held, it would be "captured" by the bitters and quack-medicine men. The Committee on Resolutions would be composed of Schenck, Drake, Radway, Hostetter, and Ayer. The resolutions would contain no mention of pie whatever, but would in bitter terms denounce dyspepsia and "general debility," and call for "the purification of the blood" and the supply of "tone" to "the system," and the punctual payment of the pensions of the soldiers and sailors. A picture of the goddess Hygeia would adorn the platform, and a nomination to some high office would probably be offered to some noted pie-baker, and the original anti-pie men would then be informed that they were a narrow but honest set of fellows, rather wanting in practicalness, but who had nevertheless "builded better than they knew."

The Pennsylvania Constitutional Convention is considering the question whether the courts shall have jurisdiction of all contested election cases—"State, municipal, and local." A section recommending this reform has passed through two readings. The only country which has already made this change in its constitutional machinery is England, and there the experiment is of such recent introduction that it is as yet impossible to say what its effect will be. There can be no doubt, however, of its importance, nor of its value as an illustration of the fact that the present constitutional movement exhibits as its most promising trait a deep distrust of so-called popular bodies. To give the judiciary the right to decide contested election cases is to give the judiciary a power far greater than any that has been conferred upon it since its erection into an independent branch of government at the time of the formation of the American Constitution, and there is only one reason of a practical character given for the change—that the people have discovered by sad experience that representatives of the people cannot be trusted with it. There can be little doubt that the change, in so far as it strengthens the hands of the judiciary at the expense of the legislature, is in the right direction, and at the same time it makes the elective system still more ridiculous than it now is. Elected judges who have the right to decide election cases will be pretty sure to be looked after closely by the managers.

In Ohio, one of the principal questions before the Convention is that of minority representation. A committee on apportionment and representation has the matter in charge, and three-quarters of the members are in favor of the principle of the reform, but there is some division of opinion as to the particular kind of minority representation that shall be introduced. We hear of advocates of the "cumulative vote" and "small districts"; and on the other hand, there are the



advocates of the "free list" and "large districts." As to the district question, there is really not much room for difference—the larger the districts, the wider the range of capable men to select from; the smaller and more numerous the districts, the more opportunity for compact organization, purchase of votes, and general corruption. As to the "cumulative vote," it is inferior to the "free list" in merely securing party representatives, while the "free list" secures representation really individual. For instance, if the Republican and Democratic votes in Ohio were in the proportion of six to four, the cumulative vote would at its best secure a legislature containing for every four Democrats, six Republicans; the "free list" (with some modifications which we have here no space to go into) secures not only all this, but in addition has the great merit of giving each voter an opportunity of registering his choice among all the candidates, and giving this preference weight in the final count.

The whole subject of minority representation is, however, abstruse to the mind of the average voter, and it would be as well for the Ohio Convention to remember that the reform will prove worthless unless judges of contested elections can be provided who can be absolutely trusted; and from this point of view it will be seen that the question in Pennsylvania and that in Ohio are quite nearly related. Meanwhile, in New York, the Legislature to which the recommendations of Governor Hoffman's commission were referred has adopted the ingenious device of striking out all the more important recommendations—those which would take away much-abused power from itself—and then going quietly home. A more complete evidence of the utter contempt of the politicians for the people has rarely been given in these latter days.

Kellogg of Louisiana has drawn on the General Government for two howitzers, two Napoleon guns, two Gatling guns, a number of muskets and rifles, and various cavalry accoutrements, and the requisition has been met. It was made under an unearthed statute annually giving to every State for militia purposes a certain small quantity of munitions of war, and as Louisiana had for some years neglected to take her share, the Kellogg Government now finds ready to its hands a convenient store of war material. Meantime, Governor McEnery, in a very judicious proclamation, counsels a passive resistance indeed to the Kellogg Government, but dissuades from active. To some impatient minds who read such speeches on Louisiana matters as are made by Mr. Dawes and other Republicans, and such articles as the thick-and-thin Administration papers print, its prudence recalls the times when Mr. Dawes's ancestors made the Boston tea-party and by-and-by went into very disloyal and partisan-like rebellion. But they waited a while first, and composed many just such public documents as this, and afforded a good deal of sport to the organs of their time, and measurably restrained their wrath, and in the end had their reward, as the organs had. Certainly the recital of the recent history of Louisiana may well make a Louisiana indignant, but there is justice as well as prudence in trusting to the generally honest intelligence and intentions of the country. "It is apparent to you," says Mr. McEnery, "as well as to all the people of the United States, that the President is resolved, at all hazards and at all costs, to sustain by the military arm of the nation" the usurped power of Kellogg and his friends; he orders and requires the establishment of a government put in place "by the midnight order of Judge Durell" and by the use of United States troops; he commands that the elected judges, sheriffs, recorders, justices of the peace—in brief, all the duly chosen officers of government, whether State, parochial, or municipal—shall peaceably submit to removal, and that a government of a board elected without returns shall be obeyed. This and more the President having ordered on pain of war with the United States, Mr. McEnery also advises it, and he urges peaceable submission, justly referring to the fact that sufficient evidence has already been given that a Kellogg government without outside aid is powerless to fulfil the least duty of a government.

A second prominent Canadian politician has just died, the Hon. Joseph Howe having followed Sir George Cartier after a short interval. He has very long been the most prominent Nova Scotia public man, and was known across the border as well as across the water. Mr. Howe was descended from a loyalist family which left the States for the Provinces at the time of the Revolution. He began life as a printer's apprentice, became an editor and an active politician of far more than the usual ability of provincial statesmen, and of perhaps no more and no less than the usual consistency of leaders in that kind of politics. He died the Governor of his native province, and his appointment to this much-esteemed office was the event in his career of most interest to Americans, significant as it was to some extent of the increased and increasing detachment of Provincial politics from English. Mr. Howe was born in 1804.

In England for the moment the great O'Keefe case, which is pending before Dublin courts, seems to occupy a larger share of public attention than anything else. O'Keefe was a parish priest in Kerry, *ex-officio* manager of the district school, and greatly beloved by his congregation. He quarrelled with his bishop, however, and sued him successfully for libel, whereupon he was suspended by Cardinal Cullen on the authority of a Papal rescript, for impleading his superior in the secular courts, and the Board of Education removed him from the office of manager, in consequence of his loss of his sacerdotal position. The action of the Board he brought before Parliament, and he then sued Cardinal Cullen for libelling him in the terms of the order of suspension. The Cardinal answered that a priest is bound by his agreement not to sue other ecclesiastics for things said of him or to him in his character as priest. A majority of the Irish Queen's Bench ruled that this agreement was legal, and not, as the minority held, against public policy; that the plaintiff had by his own act conferred on the Cardinal the power which he exercised. The points actually decided by the Court were—and they have some bearing on the Cheney case here—that a rule of the Roman Catholic Church, that a priest is not to sue another in the ordinary tribunals for slander spoken of him in his character of priest, is not illegal, though it is no defence to an action, and does not oust the court of its jurisdiction; but that a rule forbidding a priest to seek any redress whatever in such a case would be illegal and void.

The news from France is that everything is quiet, and that nobody seems disposed to make any disturbance. Gambetta has been making speeches of a very sensible sort in the provinces, and Marshal MacMahon has got up a cabinet which contains nobody who can be called seriously objectionable, and several men of tried capacity. The new Government will, it is said, abandon the new commercial treaty with England, which probably means that they will fall back on the old one, as the free-trade element preponderates in it. It does not make very much difference, as the cardinal feature of M. Thiers's policy, the tax on raw materials, had been virtually abandoned as a failure before he went out of office. The Germans are said to be displeased with MacMahon's message to the Assembly, but why does not clearly appear. The dissatisfaction, if it exists, is probably rather with his accession to office than with anything he has said or done, because he can hardly have a policy in which "revenge" will not occupy a prominent place. But the next event of any moment in French politics will undoubtedly be the dissolution of the Assembly, though when that will occur it would puzzle the wisest man to say. Until it does, the outside pressure in favor of the proclamation of the Republic will undoubtedly increase, as the mass of French voters are strongly attached to whatever form of government actually exists, and grow more so, the longer it lasts. If any permanent form can be now set up without violence, a great deal will have been gained for the cause of good government generally. The growth of a passion among the peasantry for the republican *theory* of government is one of those pleasant fictions which light up the gloom and weariness of foreign newspaper offices.

## SOME REFLECTIONS ON THE CASE OF HENDERSON.

THE officers of the Treasury, in the case of Phelps, Dodge & Co., unveiled to the somewhat astonished eyes of the American public the unpalatable fact that we are living under a system of revenue laws framed by incompetent hands and administered with a ruthless disregard to even the appearances of justice. The Supreme Court of the United States has gone a step further in the same direction, and disclosed the monstrous fact that the laws of the United States allow the Government to take one man's property for another man's crime. Indeed, we do not state the case quite strongly enough; we should have said, for another man's intention to commit a crime. In the case of Phelps, Dodge & Co., the demerits of the matter lay between Congress and the administrative officers of the Government; in this case, between Congress and the judiciary, with a general result in both cases that the revenue laws of the United States are administered on the one hand and construed on the other for the benefit of Treasury agents and informers, and that it is no longer safe for an American merchant to import goods from a foreigner or buy them from his neighbor.

In 1868, one Mr. Henderson went into the market at New Orleans and bought one hundred barrels of distilled spirits. It would seem that if a man went into the market and bought personal property from the manufacturer in good faith for its full value, and without notice, actual or constructive, of the intervening rights of any other person, he should acquire the title to his purchase. It seems, however, according to the Supreme Court, that the revenue regulations are so excessively stringent that "cautious merchants in consequence of those regulations are often disinclined to purchase spirits at the place where distilled lest they should be subject to forfeiture," and prefer to buy "of other parties who have made deposits in the bonded warehouses." Mr. Henderson apparently belonged to this cautious class, whose "caution" is of itself a commentary upon the powers of our Treasury agents, and he did not venture to buy the spirits of the maker at the place of manufacture, but did buy them "while in a bonded warehouse of the United States." Having paid the manufacturers, and as he supposed acquired title to the spirits, he next proceeded to settle with the Government, and to that end "paid to the United States Collector the taxes due on the spirits and removed them from the warehouse according to law, without knowledge on his part at any time of any fraud on the part of the distiller, either actual or alleged," being in every sense of the term "a purchaser innocent and *bona-fide*." Having thus settled with everybody in the world who asserted any right or interest in these spirits, he shipped them to St. Louis, naturally, but mistakenly as it turns out, supposing them to be his own property. On their arrival at St. Louis they were libelled by the Government of the United States through its district attorney on the ground that they "were manufactured at some place within the United States to the said attorney unknown," and "were removed from the place where distilled with intent to defraud the United States." Now, as it is not easy to understand how a district attorney could have known that spirits were removed from the place where distilled with intent to defraud, when the "place where distilled" was unknown, we are inclined to believe that there never was any fraud connected with the case, but that the revenue officers at St. Louis, having not much to do in the idle summer-time, bethought themselves of harrying one of the mercantile "brood" for amusement and perhaps to get a little easy prey in the form of a compromise. Be this as it may, nothing else of fraud appears in the case from beginning to end, and the seizure of the Government is to this day based on no other ground than the removal from an unknown distillery to a bonded warehouse of the United States "with intent to defraud."

Mr. Henderson's lawyers were apparently overconfident of their client's case, and as the cheapest and shortest way to be rid of the libel, they entered into an agreed statement of facts with the district attorney, whereby it was mutually admitted that the charge of removal with intent to defraud was true, "but that Henderson subsequently to removal from the distillery and before removal from

the bonded warehouse and before seizure, paid the tax on said spirits and was a *bona-fide* and innocent purchaser thereof." With this admission written down in the record, the Government went to trial for the avowed purpose of wresting from the "innocent purchaser" the very property upon which he had paid and they had received the manufacturer's tax.

In the District Court, judgment was given against the Government, and the judgment was affirmed on appeal to the Circuit. But the revenue officers seemed to know that innocence counts for very little in revenue cases, and they carried the case up to the Supreme Court in the name of their aggrieved principal, the Government of the United States; and a majority of the Supreme Court being of the same opinion, reversed the decisions below and directed judgment of forfeiture of the property to be entered in favor of the United States.

It is however to be noted that the late Chief-Justice, with Messrs. Miller and Field, dissented; and Mr. Justice Field, in his dissenting opinion, says with a very fine touch of judicial sarcasm:

"The presumption is that the majority of the Court are right in this decision, and that the minority are mistaken in their views of the law governing the case. It is, therefore, with diffidence that I venture to dissent from their judgment—a diffidence which is greatly augmented by the declaration of the majority, that it is impossible to escape the conclusion which they have reached. But for this conclusion, I should have supposed that it would have been impossible, at this day and in this age and in our country, to obtain a decree confiscating the property of a citizen for anything which a former owner of the property may have intended to do, but never did in respect to it. I should have said that the intentions of the mind, lying dormant in the brain, had long since ceased to be subjects for which legislatures prescribe punishment."

The law of a decision by the highest judicial tribunal cannot be profitably discussed. The bar sometimes accept it as "good law" and sometimes criticise it as "bad law," and legal journals review it and point out mistakes in the premises, or misapplications in the authorities, but the chances are that the Court has been able to give to the questions involved a closer scrutiny than the people who doubt the conclusion. Nevertheless, there are some principles of constitutional and legal ethics as to which most intelligent and conscientious men can judge. Of such is that one, accepted in all civilized countries, that where the Government goes into a court of justice as a suitor, its rights of property are to be adjudicated with the same impartiality and upon the same legal principles that would prevail if the suitor were a citizen or another corporate body. The only exceptions to this are, first, that governments are not supposed to be guilty of torts or intentional wrongs—which means simply that they are not to be cast in exemplary damages, but are to pay the reasonable value of the property taken or injury inflicted; and, second, that they are not to be held responsible for the carelessness or unauthorized acts of their agents. But it is nowhere believed that one measure of justice is to be applied to the governmental and another to the ordinary litigant, or that courts of justice are to become a kind of foster-mother to nurse governments through the ordinary hardships of litigation. During the last fifteen or twenty years a system of decisions has been built up in the Supreme Court under which an entirely different rule is applied to the liability of "U. S." than is applied to the liability of "John Doe" and "Richard Roe"; and of these decisions this Henderson case is the last, though we are by no means sure that it is the worst. The Supreme Court has also gone out of its way several times to say that as to many classes of cases entitled to judicial redress, Congress "has wisely" reserved them for its own determination, when it is perfectly well known that Congress is utterly incapable of awarding judicial redress, and that private claims have often proved the most fruitful seed for Congressional corruption; and it has fallen into the ignorance of saying that immunity from suit is an attribute of sovereignty, and that suits against Government are permitted only by the "liberality of legislation," when it is beyond dispute that in almost every country in Europe the Government is liable to the subject in all matters of property as completely as one of its own corporations, not from the liberality of legislation but by immemorial usage.



Now there are two principles of law peculiarly applicable to these cases of Henderson and Phelps, Dodge & Co., which have been entirely ignored by both the Government and the Supreme Court. In courts of equity, it has always been held that a party seeking equity must do equity—which means that a man seeking to set aside a transaction cannot keep the fruits of it in his pocket. In courts of law, it is settled that where a man stands by and sees an innocent purchaser buy property from a third person, he will be estopped from afterwards setting up any claim of his own; or, as a former judge of the Supreme Court quaintly stated it, “where a man has been silent when in conscience he ought to have spoken, he shall be debarred from speaking when conscience requires him to be silent.” In the case of Phelps, Dodge & Co., the firm laid down erroneously a rule of computation which in the great majority of instances worked against their own interest, but in a few instances against the interests of the Government. The Government received the benefit of this rule, yet nevertheless, keeping the money in its treasury, could walk into court and demand an enormous penalty for the few instances where it had received a trivial injury; and it is now almost certain that if the suit had gone on, the Supreme Court would have enforced the penalty on the one hand, and on the other would have dismissed a suit brought to recover back the overpayments. In the case of Henderson, the Government, being the custodian of the property, looked on and saw an innocent purchaser buy it without asserting any title of its own; more than this, it delivered the property to the purchaser; more than this, it exacted from him as a condition to delivery an enormous tax; and then it walks into court asserting itself to have been the owner at the time, and actually carries off the property without the pretence that it will ever refund the tax which it exacted.

Do our readers now wish to know the reason or apology under which the law officers of the Government dare to hunt down two innocent merchants, against the moral sentiment of about every respectable person in the community? We will state it in the words of the Solicitor-General: “It is notorious that spirits have often been removed to United States bonded warehouses from distilleries in accordance with conspiracies between distillers and warehousemen, in order to defraud the Government by having the spirits secretly drawn off from the barrels, and *under agreements with the revenue officers* to have them released upon worthless security.” And we will add the apology of the Supreme Court: “Distillers intending to evade the payment of the duties may find it a most effectual way to accomplish their unlawful designs, in case they can *by bribery or otherwise secure the co-operation of the inspector, storekeeper, or collector*, to remove the spirits to a bonded warehouse.” In other words, it is bad government which has gradually changed our highest judicial tribunal from being the guardian of the law to being the guardian of the Government, and which has built up a system of statutes and decisions under which the strong is favored as against the weak, and the corrupt as against the innocent. In the general abandonment of the duties of citizenship, no class of the community has been more in fault than our merchants, and they are now suffering probably severer punishment than any other class—a punishment which is of itself one of the curious reactionary effects of weak government, and is being dealt by most unexpected hands.

#### THE CAUSES OF THE FARMERS' DISCONTENT.

THE farmers' movement, although slow to spread to the East, and although it is yet inchoate and undefined, has assumed national importance, and deserves, by virtue of the possibilities involved in it, the careful study of the economist and the politician. At the present moment, the chances seem to be evenly balanced that it may either be mistaken in its consciousness of its own origin and meaning, and be misdirected in its measures and aims, or that it may prove the beginning of a movement which shall break in pieces the system which has been elaborated and fastened upon the country during the last twelve years. If it is to have the latter

issue, it is of the first importance that those who participate in it should understand the situation.

Now, first among the existing economic circumstances of the country to which the distress of the farmers is due is the depreciated currency. He who affirms this to Western men is, indeed, likely to find that he speaks in dull ears. The present currency of the country so far surpasses in practical advantage any currency ever before possessed by the West that it seems to have taken strong hold on the confidence of the people of that part of the country. It possesses a uniform value, and is easily and cheaply transported. This proves, however, the outrageous badness of the old currency of the Western States, not the intrinsic goodness of that now in use. The West opposed the Legal Tender Act of 1862 almost *en masse*. The ruin of 1857 was recent enough to exercise strong influence over the minds of the Western legislators of that date. Their instinct was correct. The Legal Tender Act and the National Bank Act created and placed at the disposal of the banking interest a power which could not fail to be oppressive to the new sections of the country and to the agricultural interest. At the same time, those acts created a system which was artificial, divorced from the legitimate and beneficent operations of banking, and, under a suspension of specie payments, freed from the restraints which are the safeguards alike of the banks and of their customers. The paper money era has developed with us all the phenomena which have marked its history elsewhere. Speculation has become the prevalent form of business, and has assumed gigantic proportions, and has attached more and more to paper securities. Money has been drawn into the great stock markets. The mobility of the currency, which is one of its chief merits in the eyes of many persons, has strengthened this tendency. The population has been enticed from country to town, from agriculture to trading, and city real estate has risen in value, while farm land has declined. Farm land has been held, even in the West, more for a prospective than an immediate profit, and the realization of this prospective value has been more and more deferred. In the meantime, prices have risen throughout the whole range of the farmers' necessities. The spasmodic fluctuations in the price of money, and of materials affected by the tariff or manipulated by “corners,” has stood in grave contrast with the steady rise of wages on the one hand, and the steadiness of the price of staples, which is governed by the foreign market, on the other. These things are the legitimate and necessary consequences of an irredeemable paper currency, and, in view of them, the wonder is, not that the troubles of the farmers have come to a crisis, but that the crisis has been so long deferred. The inflation of railroad capital is due to the same cause as other inflations. Much declamation has been spent on the wickedness of the railroads in watering stocks, but this is only the form by which railroad property has been inflated in order to keep pace with the general inflation. It is not a new evil: it is only another development of the same one.

Among the resolutions passed at the first meeting of the Illinois farmers was one implying that the tariff was suspected of a share in the mischief. It seemed, indeed, to be only a random shot, as if an enemy had been only vaguely suspected under the mask of this old and plausible acquaintance; and at the subsequent meeting in New York, all reference to the tariff was dropped. Remonstrances had come from many quarters that the farmers might better attend to the matter in hand, and some such feeling governed the action in New York. The attack on the railroads was only made more violent, unreasoning, and futile. That the railroad transportation charges are the immediate form in which the evils of the situation make themselves felt by the farmers is not to be denied; but, as we have recently shown, the railroad charges are not a cause but a consequence. The railroads are entrenched in the existing economic circumstances, and nothing can dislodge them which does not change those circumstances. The farmers did not go out of their way when they assailed the tariff, any more than a physician turns aside from the task before him when he gives remedies for indigestion to cure a headache.

Mr. Carey and Mr. Greeley taught the American people assiduously for a quarter of a century that protection was the secret of national prosperity. For the farmers especially they entertained a sincere interest. They lamented that grain should be burned for fuel in the West. They declared that under protection manufactories would spring up at the farmer's door to make a market for this food, and utilize it to support productive industry. Mr. Carey and his disciples went further. To them it seemed that to export grain was to export the chemical constituents of the soil, to impoverish the country, and give its substance to foreigners. Transportation charges were a sore grievance to them all, seeming to be waste and loss.

No sooner had the Southern members left Congress than this system was put in operation. We have had twelve years of the experiment. The system has been rounded out to the full realization of the ideal of its projectors. They have never pretended that the experiment was not fair; on the contrary, only a year ago they were loudly asserting that the country was prosperous, that this prosperity was due to protection, and that the experiment was a success. They have never asserted that the system must, for a beneficent purpose in the general interest, bear hardly on the farmers. On the contrary, the prosperity of the farmers under protection was to be the boast and triumph of the system. Now, however, we are met by an outburst of indignant protest from these beneficiaries of protection, who, though they have enjoyed during this period a series of unexampled harvests, declare that their circumstances are unendurable, and that find a way out they will, though it be over the great corporations which rule the rest of us without opposition, or over a degraded legislature and intimidated judiciary. They never burned so much grain as now. They have lost one market without winning another; and as for the hardship of competing with "Russian wheat," all they ask is to be allowed to compete with it. Transportation charges have been increased and multiplied, middlemen have increased in number, rings to which toll must be paid have sprung up on every hand, and now certainly the time has come to enquire whether the great experiment has not turned out with us, just as it has turned out everywhere else on earth, a mistake, a delusion, and a fraud. Are not the specific forms of evil natural products of the great fundamental principle? Are not the high charges for transportation due to the enhanced cost of every ounce of iron, every stick of timber, every piece of metal, every yard of cloth, which has gone into the construction of railroads for the last ten years? Must not the army of railroad employees have higher wages when they buy protected clothing and furniture? If stock is watered, is it not because it would cost twice as much (in to-day's dollars) to build the road as it did twenty years ago when the line was built and its capital computed? Are not the rings and middlemen the offspring of a system which has taught this generation that the means to secure success are not to attain to superior excellence, but to get "the long end of the lever"? If the farmers want to recognize their enemy, these are questions for them to consider.

The method of redress now proposed is an interesting illustration of the education which is exerted upon men by a broad principle, and of the unconscious consistency which governs the human mind. The trouble is due to the interference theory, which ascribes to legislation the power to make men prosperous, free from vice, and happy. It has been extended so far that public aid in various forms has been given to all sorts of projects, and the system of making the public bear all the expense and risk of "developing our resources," while a few shrewd manipulators take all the profits, and indeed a good share of the prime cost of the operation, has been pushed to the most extravagant refinements. It is astonishing to observe how such an evil system returns again and again with accumulated mischief to plague the inventor. A Western county bonds itself for a railroad, and binds itself to heavy risks and long-continued payments. These bonds go abroad, and upset the exchanges, and distort the premium on gold. The wheat of the same county goes to the foreign market, and the return for it is wasted and squandered

through the exchange and the gold premium—secondary consequences of the original mistake.

But when the sufferers come to correct their grievance, they know of no remedy; their minds are educated to seek no remedy other than a new application of legislative interference. The men who have bound their towns and counties for a railroad form an anti-railroad league. They complain that the railroads are ungrateful and domineering. Have they, then, never seen spoiled children? Do they know so little of human nature as not to know that it is the manner of those who have been petted to become ungrateful and intractable? The seeds of the present difficulty are in the original error of the interference policy, whether in its wider or its narrower applications, and the crop answers to the seed. It can never be eradicated by planting it anew. If the farmers of the West can come to see the true causes of the ills they labor under, and attack them at the root, they may burst the shackles which bind not only them but the whole country; but if they extend the same theory, and try to win back prosperity by town aid to rolling-mills, starch factories, and other kindred enterprises, or by manipulating legislatures and intimidating judges, they will only sow for the future a harvest of shameful repudiation, wretched bankruptcy, and degraded political history.

#### THE LATE STUART MILL.

LONDON, May 15, 1873.

THE great event of the last fortnight—to very many of us at any rate—is the death of Mr. John Stuart Mill. Just before leaving England a few weeks ago, he appeared to be in more than his usual health and spirits, and we were in no degree prepared for the sudden extinction of so great an intellectual light. Politically speaking, Mr. Mill's loss is of no very great importance. Whatever the value of the doctrines which he advocated, he was as much a follower as a leader. When speaking on woman's rights or the land laws or the franchise, he gave to his party the weight of a great authority, but he scarcely contributed any new element of opinion. It was something, of course, for the extreme democratic party to be able to say that Mr. Mill agreed with them, but perhaps the agreement, so far as the outside world was concerned, told more against Mr. Mill than in favor of his allies. That a man of such wide cultivation and such extraordinary intellectual power should, so to speak, swallow the popular radical creed whole, was somehow not quite satisfactory. What is the use of being a great philosopher if, after all, you can add nothing to the ordinary cry of every popular agitator? To some such feeling, though of course there are deductions to be made from the statement, it was owing, as I fancy, that Mr. Mill was regarded as having rather lowered himself by his political action and as having descended too easily from the judgment-seat into the open arena.

Upon that subject, however, I have recently spoken, and I need not dwell upon it at the present time. Neither will I venture to express any opinion as to the general merits of his speculative action. The influence which he has exercised upon English thought and indeed far beyond English limits, is too conspicuous to justify any comment. I will merely observe that for the last quarter of a century Mr. Mill has been the intellectual leader of all young Englishmen. Within that time, for example, there has been a marked tendency towards a revival of philosophical speculation in our universities. At the beginning of the period, Oxford was still shaken by the movement of which Dr. Newman was the chief leader. Mr. Mill's influence became powerful in the reaction which followed, and under his guidance more than under that of any other man, the current has since been running with increasing strength in the direction of rationalism, positivism, and all manner of other heterodox "isms." He exerted a similar though a less conspicuous influence at Cambridge. It was a really grotesque phenomenon to persons behind the scenes to watch the vigorous opposition made by the outside world to the removal of religious tests from the University, whilst, in the University itself, Mr. Mill's works had become recognized text-books, and under their guidance the whole thought of the place had drifted far away from all accepted landmarks. To try to keep young men within orthodox limits by making them sign professions of allegiance, whilst giving them for their chief intellectual sustenance Mr. Mill's 'Logic,' was, as Milton puts it, to shut the park gates by way of impounding the crows. The whole of the present generation of cultivated Englishmen under five-and-forty may be said to have been brought up at Mr. Mill's feet, though of course they have not all accepted the master's teaching.

In the earlier part of that period, Mr. Mill was little more than a name to most



of us. We did not suppose that he had any actual flesh-and-blood existence. He was a mere impersonation of logic and political economy, who was supposed to be incessantly secreting syllogisms in some philosophical laboratory. Here and there, in the 'Political Economy,' there are expressions from which one might gather that Mr. Mill could feel keenly as well as think clearly, but only a few select friends were at that time admitted to his voluntary seclusion. His complete retirement, really caused by an excessive sensibility, was popularly supposed to be due to a cynical contempt for his fellow-creatures. I have a lively recollection of a few apparitions of Mr. Mill some ten or twelve years ago, when he was first beginning to emerge from his retirement. Nothing could have been imagined more contrary to my preconceived notions than the slight fragile man, trembling with ill-suppressed nervousness and, at times, blushing like a girl for some inappreciable cause. I had expected—foolishly enough—to see an ideal philosopher, not perhaps in the flowing robes, but at least with the dignified mien of one of Raphael's apostles, and my surprise was not less than would be the surprise of most people if the portrait of the ideal St. Paul were suddenly replaced by a faithful likeness of the man as he appeared to his contemporaries. If Mr. Mill's presence was not dignified in the conventional sense, it revealed at once that emotional side of his nature which has been made prominent in his later works. The author of 'The Subjection of Women' seemed to take the place of the expounder of Malthusian principles. But in a few minutes there was no difficulty in constructing a more complete image of the whole man. It was at a meeting of the Political Economy Club that I first had the honor of being in Mr. Mill's company, and the subject, not at first sight a very attractive one, was the propriety of allowing cab-fares to be regulated by free competition instead of fixed by a tariff. Unpromising subjects often branch out into unexpected variety of suggestion. On this occasion, however, I do not remember, and perhaps it would be a breach of confidence to reveal, the opinions expressed by the other philosophers present. The arguments used have slipped through my mind, though I have a vague recollection of having chewed many dry husks of statistical information. But I do remember very distinctly the impression produced upon me by Mr. Mill. His nervous and agitated manner disappeared with the first sentence; the statistical and economical magnates around me listened with rapt attention whilst a series of sentences flowed from Mr. Mill's lips, as perfectly formed as though he were reading the proof-sheet of a carefully prepared essay, and arranged with the most logical lucidity. How much attention Mr. Mill had given to the subject of cabs it is of course impossible for me to say; but I could never have imagined that to so barren a text there could have been appended such a mass of interesting reflections. Somehow or other, he kept to his subject, and yet forced one to think of cabs, not as a mere isolated phenomenon, but as part of the general system of things. Always dwelling upon topics within the comprehension of police officials and town-councils, he yet brought into the discussion such a wealth of thought and knowledge that cabs have been ever since raised in my opinion. Coleridge would doubtless have been more poetical and more metaphysical, if started on one of his flights into the infinite from a cabstand; and Mr. Carlyle would probably show a more vivid insight into the phases of human character connected with cabs, but as an exposition of practical philosophy in its bearings upon cabs, Mr. Mill's discussion appeared to me to be as near to perfection as possible. In fact, Mr. Mill could talk like a book, and, what is far rarer, like a very excellent book. His conversation was frequently like a chapter out of the 'Liberty.' It was his habit, I believe, to have everything closely arranged in his head before putting anything on paper. The actual writing was therefore extremely rapid. I am almost afraid to say, merely from recollection, what was the period employed in the actual composition of the 'Logic.' My memory tells me that he had written the whole in three months. That would imply over ten octavo pages a day; and considering the extreme complexity of the subject and the difficulty of steering the way safely through all manner of logical intricacies, such a speed of execution would be something astonishing. Of course it implies that the whole substance was already carefully prepared. Like some other distinguished writers, he was fond of taking long walks, during which his reflections were gradually moulded into a form fit for expression. Within the last year or two, he was still equal to doing thirty or forty miles in a day without excessive fatigue, though from his appearance no one would have imagined that he possessed great pedestrian powers.

Mr. Mill's speeches were very much injured in their effect by the weakness of his voice, but as compositions they were as perfect as anything that he wrote. When he first appeared in Parliament, he was apparently very nervous, and had a curious habit of occasionally stopping and shutting his eyes for many seconds between two consecutive sentences. To his hearers it appeared at first that a breakdown was imminent, but he always caught the thread of his argument, and proceeded anew with a uniform flow of disquisi-

tion. His least satisfactory performances were at moments when strong feeling was carrying him away. The disproportion between the passion and the physical power of utterance was too marked; for a genuine orator requires an organ of corresponding power and volume to give effect to the expression of strong emotion. And yet the genuine strength of Mr. Mill's feelings and the generous breadth of his sympathies undoubtedly gave him power over popular audiences, as it will endear him to the memory of many friends who do not implicitly adopt his theories. No warmer-hearted man ever lived. His loyalty to his friends was touching in a high degree, though it doubtless betrayed him into occasional weaknesses. Everybody remembers the dedication to the memory of his wife of the book on 'Liberty,' in which, to say the truth, it is impossible not to suspect that his judgment had been considerably biased by his feelings. Something of the same tendency appears in several of his later works. Mr. Mill believed in his friends with something like vehemence. He believed not merely in their moral worth but in their intellectual power. The feeling was amiable and generous in a high degree; for most of us are perhaps conscious that there is something not altogether displeasing to us in the weakness as well as in the misfortunes of our friends. Some little grain of jealousy perhaps mingles with most human friendships, or possibly we fear to trust our judgments when they apply to those in whom we are deeply interested. From any such defect of cordiality Mr. Mill was most honorably free; but I fancy that some allowance must be made for this unconscious bias before we can accept the very warm eulogies which he has passed upon theorists whose merits are not so conspicuous to the outside world. In losing Mr. Mill, we have not only lost the most thoroughly trained intellect amongst English philosophers and politicians, though one whose powers of assimilation perhaps rather exceeded his powers of origination, but we have also lost one whose generous warmth of feeling gave a higher tone to contemporary politics and leaves many tender memories behind him. There is no one ready to take his place, though we may console ourselves with the reflection that he had pretty well delivered his message to the world. It is said that he has left many remains, and amongst other writings an autobiography continued to a recent date. A few years ago he said that he had finished some writings for which he thought that the time of publication had not arrived; but I know not whether the observation referred to 'The Subjection of Women,' which has since appeared, or to some works which have not yet seen the light.

## Correspondence.

### THE SPECIFIC DEMAND OF TRANSPORTATION REFORMERS. TO THE EDITOR OF THE NATION:

SIR: You demand that the movement for cheap transportation reform should be more specific. So far as concerns the recent convention in New York, this stricture is entirely just. That gathering was manifestly engineered by men who had no conception of the real issue at stake. The series of resolutions adopted dealt wholly in vague generalities, as if the attempt was to say a good deal without saying anything. But the movement in Illinois is not open to that censure.

The cheap transportation movement got fairly under headway in advance of the election for delegates to the convention which framed the present constitution of the State (1870). The general attention of the country was not attracted, nor was there any marked demonstration among our people; but care was taken to elect delegates who would faithfully represent popular sentiment on this subject. The result was the assertion in our organic law of the doctrine that the Legislature has a right to "pass laws to correct abuses and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs on the different railroads in this State." According to the principle laid down in the Dartmouth College decision, this doctrine conflicts with the Constitution of the United States, for the charters of our railroads give the holders of them unlimited authority in the matter of transportation charges. The validity of the clause quoted is a point on which our lawyers and jurists disagree. On the second of next June the first contested judicial election under the new constitution will occur. Besides a large number of circuit judges, there will be elected at that time two members of the Supreme Court. The full bench consists of seven justices, the senior in point of service being chief-justice. The distinctive issue raised in this election is, Shall the railroad feature of the State constitution be recognized as valid, and the laws enacted in accordance therewith be enforced, or shall it and they be set aside on the ground of conflict with the Federal Constitution as interpreted in the Dartmouth College case? In one of the Supreme Court districts there is practically no conflict; the candidate who is sure of election was a mem-

ber of the Constitutional Convention, and sustained the railroad article; and the only other candidate in the field is unequivocally pledged to its support. In the other district the contest is intensely hot. One candidate, Judge Craig, is avowedly friendly to the plan of transportation reform set forth in the constitution, while his opponent, Chief-Justice Lawrence, refuses to commit himself, but has the ardent support of the enemies of reform. He rendered an official opinion last winter upon the railway question as presented by legislation as it then stood, taking care not to commit himself upon the question of the validity of the State constitution. Such being the facts as regards the judicial campaign in Illinois, it is certain that, whatever else may be said of it, it is specific.

Turning from the pending judicial election to the transportation laws of Illinois, we find definiteness. Whether the legislation is judicious and effective or not, is not the question under discussion in this connection.

The first Legislature which met after the present constitution had been adopted passed one law regulating passenger tariffs, another regulating freight tariffs. The latter was killed by the Supreme Court, and it is expected that a decision invalidating the former will be rendered shortly. The recent Legislature virtually assumed as much by passing a law applying equally to freight and passenger business.

The new law will go into effect July 1. It is based primarily upon the idea that discrimination for or against any shipper or shipping point is unjust. It requires an inflexible schedule of charges for all periods of the year, every patron, and every station, except that the issuance of commutation tickets to passengers is authorized. The railroads centring in Chicago announce that they will obey this feature of the new law. If they do, the feasibility of the plan will be demonstrated one way or the other. Hitherto it has been customary to reduce charges from competing points below actual cost, and make up the loss by exorbitant rates from non-competing points. This is surely a very definite change.

The new railway law of Illinois has one other feature. It is quite as pronounced as the first, and still more revolutionary. It provides that every railroad company in the State shall haul cars offered it at reasonable and impartial rates. The railroad and warehouse commissioners of Illinois are required by law to make out a schedule of rates for car hauling, as well as for the transportation of passengers and ordinary freight consignments. That Board has until January 15, 1874, in which to make out the schedule. The railroads have not yet announced their programme on this point, but it is certain that with this car principle recognized and appreciated competition would spring up in the transportation business along every railroad line, and the cheap-freight problem would be in a fair way to solve itself. Mr. Adams is half right in holding that competition is the true solvent for the transportation problem, only competition cannot be secured by building new lines of railroads, but by establishing a basis for competition on the same line. If the railroads of the country depended in whole or in part upon the profits of transporting cars rather than miscellaneous freight, they would encourage competition and be enriched by it. Whether this plan is feasible or not, it is surely worth while to test the experiment.

Permit me to say in conclusion that this railroad question deeply stirs the popular heart at the West, however it may be at the East. Demagogues are trying to pervert it, as a matter of course, but the movement will push on in spite of the politicians, gaining definiteness and momentum all the time.

Chicago, May 24, 1873.

F. G.

[We think the contest over the judges is what does most to give the movement a wild or visionary appearance in the eyes of people at the East. The question whether the State constitution shall or shall not be overruled by the United States Constitution as interpreted by the United States Supreme Court, which our correspondent says is "the distinctive issue" raised in the pending canvass, is in reality a magniloquent form of the question whether the State of Illinois shall through her judges overthrow the Government of the United States. Moreover, it is difficult to get outsiders to believe that the people of Illinois are in earnest in proposing to submit the legal rights of property of individuals under charters and deeds to be discussed on the stump and determined by a popular vote in the election of judges. The Western railroads are thus far private property, the result of capital invested under certain guarantees, one of which was that all controversies affecting it should be decided by independent courts, acting without fear or favor. Nobody would invest money in a State in which the nature

and extent of his property were liable to be made an issue at every election. When any body of American farmers tell us they are going to adopt this plan in order to secure their rights, we prefer in compliment to their intelligence and honesty to believe that they are indulging in empty buncombe, and that they know it. If any such doctrines as are now broached in Illinois about the duty of judges should be adopted by any political party at the West, Western men may rely on it money will become scarcer in that region than they have ever seen it, and that they will be troubled with new railroads, or any other new thing requiring capital, for a long time to come. Even the wild talk that has been indulged in has already had its effect on the money markets. Of the proposition to make all railroads, with their present accommodation as regards tracks, stations, etc., haul all cars that may be offered them "at reasonable rates," we shall only say of it that it strikes us as childish, but perhaps we are mistaken. As regards uniform rates of freight, some evidence was taken on this point before a Government Commission in England in 1866, apropos of a proposal to have the Government purchase the railroads and manage them on this plan, which was very interesting. The evidence showed that one great feature, and a very valuable one, of the management of the English lines by the companies, was what was called its "elasticity"—that is to say, the rates were adapted to the peculiar needs of manufacturers and producers along the road. Men who forwarded great quantities of freight to London from a distance were accommodated at low rates, partly because of the small proportional amount of handling required by their goods, and partly because they could not otherwise carry on business at all, as a uniform rate would give a monopoly of the market to those nearest London and near the sea. In this way an enormous amount of industry is kept alive in all parts of the country, which under a uniform-rate system would perish. Railroad managers or business men can be trusted to make these discriminations under the guidance of their own interest, but the Government could not.—ED. NATION.]

## Notes.

GEO. ROUTLEDGE & SONS have in preparation a new work by George MacDonald, called 'Gutta-Percha Willie.'—Mr. George H. Felt, to whose forthcoming work on 'The Kaballah of the Egyptians' we made some reference last year, has himself assumed the publication of it, and may be addressed for information or by intending subscribers at No. 47 Liberty Street, in this city.—Hurd & Houghton announce a uniform edition of the complete works of Lord Macaulay, at a low price, but in a very handsome style. There will be sixteen volumes at \$36, or (students' edition) eight volumes at \$14.—Judge Thayer's memorial discourse on the late Dr. Lieber, noticed in No. 411 of the *Nation*, has been substantially reproduced in German in the *Weser-Zeitung*, beginning with the weekly issue of May 10 (New York: E. Steiger).—We learn from the *Academy* of the successful formation of an "English Dialect Society," which already consists of about forty members, the subscription being half a guinea per annum. Full information of the Society's objects may be had by addressing Rev. W. W. Skeat, Cintra-Terrace, Cambridge, England.—No. 4 of the *China Review* (Jan. and Feb.) has for its opening article an interesting account of Taoism, and, as Dr. Ernst Faber's 'Lehrbegriff des Confucius' is reviewed at length in the same number, the reader gets a fair idea of two of the three great schools of Chinese doctrine. The "Adventures of a Chinese Giant" are brought to a close, being entertaining to the last; and we can also commend the papers on Chinese Verse and Chinese Almanacs.—*L'Année Géographique* for 1872 may now be had of Mr. Christern. The post of honor in its résumé is justly assigned to Mr. Stanley, whose "intrepid Odyssey" is briefly narrated. Three maps accompany this rich treasury of geographical information—one, of the great lakes of Central Africa, to illustrate Livingstone's discoveries; another, of the San Juan Archipelago; and a third, of Joseph Halévy's travels in Arabia.—A work which will interest mothers, on 'Infant Diet,' by A. Jacobi, M.D., is announced by G. P. Putnam's Sons.—Holt & Williams will publish from advance sheets Louisa Parr's new novel, 'Hero Carthew,' as one of their



Leisure Hour Series.—The new Oratorio Society of this city, of which Dr. L. Damrosch is conductor, has met with excellent success in filling up its membership, which now amounts to eighty. Dr. F. A. P. Barnard has been chosen President, and Dr. F. Zinsser Vice-President.—A revised edition of the works of William H. Prescott, the historian, will shortly be begun in monthly parts by Lippincott & Co. Mr. John Foster Kirk will be the editor.

—The latest noticeable event in the history of Central Park was the unveiling, on Saturday last, of the new fountain on the border of the Lake, near the head of the Mall. We wish we could congratulate the fifty or sixty thousand people who daily use the Park on the acquisition of this work, for it is too conspicuously placed not to compel attention; but it is of a character to call for protest. The Park already contained so many pieces of unsuccessful statuary in proportion to its valuable possessions of this kind that there was a very general agreement among those who thought about the matter that the public would have been the gainer if, from the beginning, all statues whatsoever had been rigorously excluded. In that case, we should have lost one or two good works, but we should also have lost the gas-fitters' "Commerce," the singular "Auld Lang Syne," the "Morse," and half-a-dozen other things which will be in fashion when flowers and trees and grass have ceased to please, but, as the joke goes, not till then, and for which, in the meantime, everybody would be glad to see substituted the flowers and trees and grass and other natural beauties of the place. In many ways this fountain is bad. The author of it began by deciding that it would be agreeable to associate in thought a cool fountain of sweet water beautifying a pleasure-ground with the Bethesda "pool by the sheep market," and surrounded by a great multitude of the blind, halt, withered, and impotent. That orthodox critics make the angel of this pool to be the mere invention of a copyist, and entirely without true Scriptural warrant, is perhaps not to be objected against the artist. However that may be, this objection is swallowed up in the general objection to bringing in the sheep-market pool at all. The execution of the idea is as bad as the choice. The lower basin is simple and pleasing, but all else is clumsily feeble or feebly and conventionally pretty. We have said that the work is of a character to call for protest; really, the character of the works of taste approved of late years by our Park authorities cry out for a transfer to this city of the misdirected energies of our various sophomore classes. An intelligent and indiscriminate use of gunpowder would be the true criticism for most of them.

—Common men, as they read their mail matter, have no notion of the remarkable and curious nature of some of the letters which their editor daily reads. This reflection is made in view of two letters before us at the moment—one printed by the editor of *Nature* in the last number of that periodical; the other an impassioned appeal, in manuscript, addressed to ourselves. Our correspondent begins with some judicious remarks about the ability of this journal and the discernment habitually displayed in its columns in the discussion of numbers of hard and intricate questions. One question, however, we have left unsolved, he thinks, and he requests for it unprejudiced consideration. We observe that the editor of *Nature*, in his somewhat similar situation, took the resolution of turning over his enquiring correspondent to another correspondent, who answered the enquiry at once and in a manner to save space, as his reply will in all probability cut short off a possible controversy. The enquiring correspondent first "supposes a case," and then wanted to know something. His supposition was as follows: "Suppose," he said, "a strong man is suddenly struck dead by lightning"—certainly not so hard a supposition as that a strong man should be gradually struck by lightning. However that may be, the man being dead, what then, says the correspondent, "has become of the potential energy he possessed the instant before he was struck?" "To this," says the editor, "we have received the following reply," and he prints half a dozen lines from his other correspondent, who, in effect, tells the enquirer that if he wishes to become possessed of the potential energy in question the best thing he can do is to go and eat the corpse; "the great bulk of potential energy would be got," he says, "by anybody who chose to eat the body." The problem offered for inspection by our own correspondent we shall in like manner turn over to our readers. To use "Celestius's" own words, "It is ethology." What baffles him, he says, is that men such as himself, for example, and we, the conductors of this journal, should be held to be of the same stock as "the Bosjesman who lives in dirt-holes, the Jonny Wawa who grovels in mud and filth, the ignorant Ibo who mutters his inarticulate prayer to sun, moon, stars, and stones," the grunting Saboo, and several other persons, whom he describes in a tone of such bitterness as would alone determine us against attempting to settle the difficulty in which "Celestius" finds himself. It indicates plainly with what extreme reluctance he would accept our decision should it chance to be against him.

Indeed, in the case of "that Alfourian," who comes next after the Ibo, "Celestius" would probably yield only to force; "that Alfourian," he says, "with flattened face, transverse nostrils, thick lips, mouth and jaws like a bulldog's, teeth projecting, and eyes like an alligator's, his ears round, pendulous, and flapping"—a poor enough picture assuredly, be it of editor, correspondent, or distant relatives of these. The description of our aboriginal Americans, too, is harsh, and shows traces of having been composed since the opening of the Modoc troubles; it is not the calm, carefully matured work of a trained statesman. Some of the adjectives render it unsuitable for publication, we regret to say. However, the character and scope of the problem which has given pause to the mind of our correspondent is evident enough without further quotation. His eloquence deserves illustration, and Mr. Roscoe Conkling, that purple earthquake of oratory, and Mr. John A. Bingham, may have themselves begun no better than this:

"Shall we class with these the beauties who luxuriated in the hanging gardens of Babylon, the beauties who walked and revelled in the olive groves of Academe, and those who sat enthroned in the imperial palaces of the Caesars, and those who hold sumptuous festivals in the gay saloons of proud France, merry England, and glorious Columbia? Did Bosjesmen, Wawa, Alfouros, Papuas, Australian, Feejee, Nasty Jack, and Eskimo spring from the same common mother as the beautiful Helen of Greece, Cleopatra of Egypt, Joanna of Aragon, Rosamond of England, Mary of Scotland, Beadicea of Wales, and the pretty, talented belles of Columbia?"

—Officers in our army and navy, both those of the line and those of the staff, and particularly the latter, who have been in the habit of thinking themselves aggrieved by their position relatively to the line officers, will be interested in a little pamphlet recently printed in London (T. Richards, 37 Great Queen Street). It is entitled "Notes towards the History of the Medical Staff of the English Army prior to the Accession of the Tudors," and it is the work of Dr. W. R. E. Smart, C.B., Knight of the Legion of Honor, and Inspector-General of Hospitals and Fleets. It contains a good deal of information, and, besides its interest for army and navy men, it has some interest for general readers of history. English medical history begins, says Dr. Smart, in the year of our era 43, when Claudius landed in Kent, took command of the army of Aulus Plautius, and, crossing the Thames, took Colchester (Camalodunum) by siege. The Senate in the next year decreed him a triumph, the title of Britannicus, with remainder to his infant son, and bestowed honors on his military followers. Among these was Scribonianus Largus, *medicus*, who afterwards wrote a book of formulae for the composition of medicines, which had the honor of being quoted a century later by Galen. We may add that if Dr. Smart will look at the sixth chapter of Sir Thomas Brown's "Vulgar Errors" he will see that Galen was not alone among his professional brethren in being indebted to Dr. Smart's Roman friend: "Marcellus Empericus," says Sir Thomas, "hath word for word transcribed Scribonius Largus De Compositione Medicamentorum"—the same Marcellus being no better than a determined plagiarist: "he hath not left out his very peroration," says Sir Thomas, "but cleanly conveys the whole work." In the Saxon period our author notices that in 993 a decree of the Lateran Council degraded surgery by forbidding ecclesiastics to practise it, as "involving the shedding of blood," and he points out that the barbers, skilful in the use of cutting instruments, and much associated with the priests, naturally fell heirs to them as surgical practitioners. Over this period Dr. Smart passes lightly, though not without quoting some curious medical prescriptions and surgical formulae laid down by the Saxon leeches; and later, but before beginning upon the strictly military aspect of his subject, he traces briefly the changes introduced into the practice of the healing art, and the rise of the "myre," the "physician," and the "apothecary," the establishment of schools of medicine, and the fostering of the corporate bodies of barber-surgeons. "Domesday Book," which dates from twenty years after the battle of Hastings, mentions two medical attendants who were in the train of the Conqueror, and who reaped, as the reward of their services, broad acres enough to reconcile the youngest assistant-surgeon of our day to service under Admiral David Porter himself. Twenty-three holdings had Nigellus, *medicus*, first of British military doctors, direct from the crown, of which one of six holdings in Wiltshire contained nearly four square miles. In all, nearly 8,000 acres of taxable land Nigellus held from the crown, as well as eighteen hundred from Count Roger de Montgomery; and in addition to these, he owned many mills, salt-pits, fisheries, ponds, rights to fatten swine in the forests, and four fair houses in Southampton. These latter, indeed, may probably have been put into his hands to be used as the first of British military hospitals. But it is in the time of Edward I. that we come upon the regular medical staff. The wardrobe accounts of that monarch's expedition into Scotland in 1300 would astonish the Annapolis Academy. We find the *Physicus regis* and the *Cirurgicus regis* each getting the pay of his contemporary admiral of the royal fleet; while each *valettus* of the king's physician and surgeon had the pay of a captain at sea

and of an esquire (*scutifer*) in the army on land. Later, at the time of Agincourt, we find the wages of the physicians and surgeons somewhat lower, but still above those of an esquire, who received a shilling a day, which was the pay of an assistant surgeon. The reader will wish that Dr. Smart's 'Notes towards a History,' etc., etc., may be digested into an orderly and more voluminous treatise than he proposed to himself in the paper before us, which is a little confused in arrangement, and, of course, anything but full, for it was originally made to be read at one sitting before a medical society. Incidentally, Dr. Smart gives the authentic version of the famous story of Queen Eleanor and the poisoned wound of her lord, Prince Edward, with which Dr. Goldsmith has made so many boys and girls acquainted.

—'Onomatopœia in German' ('Ueber Klangmalerei in der Deutschen Sprache'), 1873, pp. 56, is the title of a lecture by the indefatigable Dr. J. G. Kohl, in the series of popular lectures edited by Virchow and Von Holtzendorff. The author does not undertake to go very deeply into the philosophy of language; in fact, some of his philological positions are rather untenable. But like everything written by Dr. Kohl, this lecture is very readable and full of feeling for the language of which he writes. One use may be made of it of which the author never perhaps thought. The ordinary student of German in this country toys a bit with Schiller and coquets with Goethe; if, over and above this, he (or she, perhaps we must add) can ask in fair German, "Have you the nails of the carpenter?" his education is completed and he "knows German." But he never really gets down to "hard pan," never masters the rich vocabulary, and leaves out of sight a large class of words not so common in books, sometimes bordering on a local *platt* and accounted vulgar, but always racy with a smack of Germanic soil. Perhaps nothing short of imbibing the language with the ear instead of picking it up with the eye can give the learned control of this rugged and homely element. But even the book-student can gather many ideas from Dr. Kohl's groups and combinations. One class of words in particular is neglected in the study of all languages—the interjections: in grammar they are banished to an obscure part of the book, and in teaching they play no part at all. But if we took a phonographic report of an animated German conversation, and cut out the interjections, half the light and shade would be gone, and the language would have an emasculate and foreign character. Dr. Kohl's illustrations of the different powers of Ah! Eh! Ih! Oh! Hu! will be found instructive, though a thorough treatment of this subject would require quite a book by itself.

#### ENIGMAS OF LIFE.\*

##### II.

MR. GREG is an authority on political economy, and has never made any claim to be a great moral or religious teacher, yet the success of his book has been due mainly to the essays on theological topics. For one reader who has studied the remarkable critique on Malthus or the original speculation on the "Non-survival of the Fittest," ten have read and reread the essays entitled "De Profundis and Elsewhere," which, though interesting, are not in themselves the best specimens of Mr. Greg's power as a thinker. The explanation of the interest excited by Mr. Greg's theological views lies partly in the taste of the day, for a very slight knowledge of current literature shows that "intelligent readers" have an absolute passion for theological controversies. If any one doubts this, let him consider whether any political question whatever would have raised as much discussion amongst the English public as was recently excited by Professor Tyndall's enquiry whether there was any reason to believe in the efficaciousness of prayer. A prevailing fashion explains something, but it does not explain the whole of the interest felt in Mr. Greg's theological doctrines. His success is, after all, mainly due to those qualities of his mind on which we have already insisted. Outspokenness and common-sense are rare enough in all fields of speculation, but they are certainly more rarely exhibited in the province of theology than elsewhere. Mr. Greg's peculiarity is this: he applies to religious problems exactly the same qualities which he brings to the solution of social enigmas. He does not, like most persons, change the tone of his voice when he comes into church, and therefore his sermons, even if not in their essence original, arrest attention because they are delivered in the tone of a sensible layman, and not in the artificial voice usually adopted by preachers of all descriptions. The following passage is remarkable in itself and betrays to an intelligent critic the secret of Mr. Greg's influence:

"It was my lot to inherit from Puritan forefathers the strongest impres-

sions as to the doctrines of religion at a time when the mind is most plastic and most tenacious of such impressions. . . . and though I recognize as fully as any man of science the hollowness of most of the foundations on which these impressions were based, and the entire invalidity of the tenure on which I held them, yet I by no means feel compelled to throw up the possession merely because the old title-deeds were full of flaws. The existence of a wise and beneficent Creator and of a renewed life hereafter, are still to me beliefs, especially the first, very nearly reaching the solidity of absolute convictions. The one is almost a certainty, the other a solemn hope, and it does not seem to me unphilosophic to allow my contemplation of life, or my speculations on the problems which it presents, to run on in the groove worn in the mind by its antecedent history, so long as no dogmatism is allowed and no disprovable datum is suffered for a moment to intrude."

The view here laid down is open to much criticism of various kinds, but no one can dispute that the statement of Mr. Greg's belief possesses independently of its intrinsic merit or demerit several noteworthy features. The most prominent is its deliberate clearness. You know what the writer believes, and why he believes it, even though you may hold his belief erroneous, and the grounds on which he supports it untenable. Now, contrast this for a moment with half the theological literature of the day, and you will at once perceive the rareness of Mr. Greg's outspokenness. Mr. Arnold's 'Literature and Dogma,' for instance, has some points of similarity, and many more points of contrast, with Mr. Greg's 'Enigmas,' but in nothing are the books contrasted more than in the care with which one author keeps in the background and the other thrusts forward the nature of his own belief. Mr. Arnold's work has merits of its own, but even admirers can hardly deny that the author's own position is in the strictest sense of the word ambiguous. We have heard of a lady who holds 'Literature and Dogma' the great and satisfactory defence of Christian doctrine. We have certainly met with persons who considered the book atheistic. We are not ourselves concerned to settle the dispute between Mr. Arnold's orthodox and unorthodox admirers. Our whole point is this: that he, unlike Mr. Greg, but like almost all the authors of the day, makes his theology a sort of secret, though to many readers the mystery may seem to be an open secret enough. Take again a book which has excited considerable attention—the biography of 'Joshua Davidson.' The writer is constantly calling on the English world to speak out and say whether they are Christians or not, but the one thing the author himself or herself appears incapable of doing is following his or her own precept. The theme of the work is this: You must either be a Christian and then a communist, or a political economist and then not a Christian. But whether the writer holds that Christianity is right or political economy is right, is in words at least left a studiously open question. Recently, again, one of our ablest and most honest essayists asked definitely the question, "Are we Christians?" but after repeating the query with masterly lucidity for twenty pages or so, unfortunately omitted to give it an answer.

Now, from all this ambiguity and uncertainty, from this fatal habit of mystery and indefiniteness, Mr. Greg is free. He says in effect, in the passage we have quoted, I am a theist and I believe in a future life, but I am well aware that there is much to be said in opposition to my views, and that I am led to them, not so much by any one theory as by the results of my education and training, and in consequence of my general view of life. Now, one great advantage of this clear statement of an author's own belief is that the reader obtains one fact which is in itself of considerable value, that is, the fact that a man of ability whose judgment is worth listening to believes certain theories on certain definite grounds. This fact is itself of consequence, because it gives us information as to the beliefs of a whole host of persons. It is almost certain that the same feelings which consciously influence a thinker of ability, unconsciously and indirectly weigh with persons who have never, even to themselves, put their thoughts into the form of a definite creed. Mr. Greg's views may be right or they may be wrong, but we cannot doubt for a moment that they are the views of thousands whose sentiments are not fairly represented by the dogmas of confident orthodoxy or by the dogmas of equally confident heterodoxy. Of course, one's estimate of Mr. Greg's intellectual capacity must depend upon one's estimate of the ultimate truth of his theories, but his value as a teacher is to a certain extent independent of the validity of his doctrine. A teacher does much who makes men really see what it is they believe and why they believe it, and thus much at any rate the author of the 'Enigmas of Life' has accomplished. He has given precise expression to the real feeling of hundreds of educated laymen with regard to the existence of a deity and the chances of a future life.

Our columns are not intended for the discussion of theology; it is, however, open to a merely literary critic to point out what is the exact position which Mr. Greg, with the laymen he represents, occupies. His language might suggest for a moment that he held that falsest of all false creeds, that you may encourage yourself to believe dogmas which you know you have

\* 'Enigmas of Life. By W. R. Greg.' London: Trübner & Co.; Boston: J. R. Osgood & Co.



intellectually no satisfactory reason for believing. A careful consideration of his words shows that this is not so. What he urges is that the question, for example, of a future life is beset with difficulties. The arguments against it are strong, but if you yield to them you will find that you are still harassed by another series of arguments equally strong in its favor. In either case, you must be prepared to hold an opinion beset with perplexities. In weighing arguments on each side, you must let your decision be determined, not by sentiment, but by your general views of life and religion. We do not for a moment assert this position to be unassailable. What we do assert is that it is by no means obviously untenable, and that it is one constantly occupied by men of common sense with regard to problems of politics or society, no less than in relation to the enigmas of religion. Two doctrines play a prominent part in Mr. Greg's theological scheme. The first is the denial of divine omnipotence. "Half the difficulties," he writes, "which lie in the way of believing in a personal God as the ruler as well as creator of the universe, are of our own making, and arise out of the inconsiderate and unwarranted use of a single word—*Omnipotent*." His argument amounts briefly to this: Pain and sin are facts the existence of which is undeniable. You may reconcile their existence either with a belief in divine goodness or with a belief in divine omnipotence, but you cannot reconcile it with the belief at once in the absolute goodness and in the absolute omnipotence of God. Now, to disbelieve in divine benevolence is to destroy religion altogether. To question the boundlessness of divine power is simply to get rid of a notion arising from our lax use of words, which leads us to confound power to which we cannot place a limit with power which is absolutely infinite, *i. e.*, with omnipotence. Of the existence of omnipotence we have, he further urges, no proof whatever. His conclusion, therefore, is that we may save our faith in divine goodness by rejecting a quite gratuitous hypothesis as to the extent of divine power. His second great dogma is that the ordinary belief in eternal punishment is not only erroneous but absolutely gratuitous, and hides from view the really important fact that if men exist for ever their faults are sure to bring their own due penalty, and that there is therefore no necessity for inventing a hell for the punishment of offences which will as certainly entail their own due and just punishment as a tree will bring forth the fruits it is suited to bear. Now, any one will at once remark that these two dogmas are in no way whatever peculiar to Mr. Greg. They must have suggested themselves again and again to any thoughtful person occupied with religious problems. Mr. Greg, however, makes them in some sense his own by the clearness with which he expresses them and the force with which he drives them home. To use an expressive piece of legal slang, he "labors" his points as to omnipotence and as to the true nature of future punishment with infinite assiduity and with a great deal of skill. On each matter he says something which is certainly worth saying, if only because he gives expression to thoughts which hundreds of men have entertained, but perhaps only one here or there has put clearly into words. His reflections, indeed, upon the true penalties which await sin in a future life form some of the best pages in his work, and read like an expressive passage from a striking sermon.

But if Mr. Greg's treatment of the doctrines we have summarized exhibits the strength, it also betrays the weak point, or, to speak more accurately, the limitations of his mind. It is, for example, characteristic of an intellect which is logical, rather than philosophical, to believe that something very like a verbal distinction can get rid of a substantial metaphysical and theological difficulty. Grant, if you like, that the lax use of the word omnipotence has led to confusion and error. Point out further what no one can doubt, that there is great difficulty in reconciling the conceptions of the perfect goodness and the absolute omnipotence of God, the question still remains, why is it that thinkers whose acuteness can hardly have failed to detect both the confusion and the difficulty on which Mr. Greg insists, have nevertheless clung to the belief in the omnipotence of the Deity? The answer surely is that, though by giving up this dogma you avoid one class of difficulties, you yet involve yourself immediately in a whole host of other perplexities. Now, we do not for a moment assert that Mr. Greg may not be right in holding that the wisest course is to cast aside a notion which has little moral value and certainly opposes hindrances to a belief in the doctrine of natural religion. What we do insist upon is that Mr. Greg has never even realized, and has still less disposed of, the problems which arise the moment you conceive the Deity to be a being of limited power; and further, that it is extremely characteristic of Mr. Greg's intellect wholly to overlook the considerations which might be opposed to the validity of his own easy method of solving a great riddle. If, again, you take his views of a future life, you will perceive that his mind is limited not only in respect of intellectual breadth, but also in respect of imaginative power. As long as he dwells upon the future penalties of sin, he is, if not always conclusive, yet, to use a term

of the pulpit, powerful. When he attempts to describe the rewards of virtue and the futurity of perfect bliss, he is more wordy and magniloquent than impressive or eloquent. No great blame need attach to him for his failure to describe what, considering the nature of human faculties, is perhaps indescribable. But we confess that Mr. Greg's own difficulties in drawing a picture of heaven might have made him, to say the least, a more lenient critic of the writer of Revelations. There may be something to be said, no doubt, as to the Oriental metaphors used by the Seer of Patmos, but we doubt whether his work would, looked at even from a merely poetical point of view, have gained much if, for the gorgeous imagery in which it abounds, we substitute allusions such as Mr. Greg apparently desires to "gentle streams, and shady groves, and woodland glades, and sunny valleys, and eternal mountains, and the far-off murmur of a peaceful ocean."

Still, though neither breadth of view nor a poetic imagination is a power with which Mr. Greg is endowed, and though where such powers are needed he almost inevitably fails, the great effect which his book has produced, and we venture to predict will produce for some time to come, both in England and America, may well give him a justifiable satisfaction, and is sign of a healthy public feeling. He has spoken with firm and manly good sense on the very subjects to which good sense is most rarely applied, and the public have readily recognized the voice of a teacher who says what he means and means what he says. He has not succeeded, and he did not expect to succeed, in solving the deepest problems of theology; but he has succeeded in forcing the attention of the world to the very enquiries which laymen and clergymen alike are apt, under one excuse or another, to dismiss from their minds. Thousands of persons who have heard sermon after sermon unmoved and inattentive, will at least be forced by Mr. Greg's book to ask themselves whether they have or have not any real belief worth calling a conviction on such subjects as the future existence of the soul or of the nature of the life which awaits it in another world. It is a great achievement to have compelled a busy and frivolous generation to recognize at any rate the existence of the "enigmas of life."

#### MAGAZINES FOR JUNE.

THE *Catholic World* prints many good articles in the course of the year, but the ambassador's warning against too much zeal might be pondered with advantage by some of its contributors. The gentleman who this month civilly refers to Martin Luther as "the beery monk of Wittenberg" and "the sensual reformer," we may single out for particular mention, for we feel sure that his fine Roman hand we have observed before, and that his habit in writing is to consult too little the interests either of good manners or of controversial effectiveness. In both these respects he is of very bad example to the weaker brethren, whose zeal and hunger for polemics are often apt to need less of fanning than of tempering and allaying. "Arch-heresiarch"—another term of endearment which he applies to his enemy—might have answered every purpose, one would say; and reference to the great reformer's drinking habits, and to Catharine von Bora, we must consider entirely uncalled for. It is Catharine, we suppose, who is meant when her husband is charged with sensuality. These indecorous expressions we find in the first page of an essay entitled "Jerome Savonarola," of which we may remark in general that it goes into that class of the *Catholic World's* articles which have this much of value, at all events—that they give to the common run of readers an unaccustomed point of view, and so are likely to be of service. Another such article is the story translated from the German of Joseph Edward Charles Bishoff, a writer of Roman Catholic novels, as we gather from a biographical notice prefixed to the story. "The Trowel or the Cross" is the title of this production. The first chapters we have read with a renewal of a feeling often experienced before in contemplating the troubled life of the European—a feeling, namely, of thankfulness that our own lot has been cast on a virgin continent, where but few of the more desperate social problems need be fought out in our day. This quarrel, for instance, which is set forth in "The Trowel or the Cross" it is our posterity who will have to fight out, and not we. And if Mr. Bishoff is half a prophet, a most fearful job our wretched descendants are going to find it. The "trowel" of his title-page stands for freemasonry, and the "cross" for religion, and especially for that form of religion which is represented by the Society of Jesus. Between these two forces there is to be a relentless and terrible conflict, for which the masonic lodges are already preparing; and that they are not without some well-grounded hope is made manifest by what we overhear one of Mr. Bishoff's personages saying to another as they walk secretly in the forest:

"The lower orders must be indoctrinated by our masons and apprentices; our newspapers must confuse and alarm them concerning the claims of the infallible Pope. Besides, the German emperor is a free-

mason, the Crown-Prince of Germany is a freemason, all the ministers of our country are freemasons, and many ministers of other German countries are freemasons. In Spain, we are already so powerful that the grandmaster, Zorilla, gave the royal crown to a prince of his own choice. In Rome, for 1800 years the seat of the popes, the 'Grand-Orient' of our order will erect his seat above the chair of an imprisoned and helpless Pope. As I have already remarked, affairs are everywhere so propitious to our cause that the trowel will surely conquer the cross!"

Both the Emperor and the Crown-Prince are free and accepted masons, then, but a third interlocutor by-and-by remarks to the two whom we have already seen that "neither William nor Fritz" is aware of the real object of the masonic "world union"; "neither dreams that after the downfall of the altar follows that of the throne," and that in obeying the grandmaster's orders in warring upon religion they are really digging a pit in which they will themselves be whelmed. The foes most feared by the worthy devisers of these schemes are naturally the good Jesuits. "If the spirit of freemasonry is to obtain the victory," says the grandmaster, "then the Jesuits must first be exterminated by every possible means." To this decree, however, some of the grandmaster's subordinates are inclined to object; that is to say, they admit that the Jesuit is the enemy of the mystic order, and the buttress of the church, and as such must be put down; but they think that probably the dissemination of science may be depended upon to destroy Jesuitical power, and that thus the slaughter or banishment of these popish pioneers may be rendered unnecessary. The grandmaster, however, disposes very summarily of this notion by calling attention to the fact that as for science the Jesuits just know all about it; and he intimates that were issue to be joined on that ground the masons and the secular world generally would find that the wrong passenger had been waked up. No, the Jesuits must flee or die; and they had better die. The discussion goes on at some length, and at last it is thus closed by the Herr Professor, from whose language, moderate a mason as he is disposed to be, we may learn what would await us had not the followers of St. Ignatius been vouchsafed us for our need:

"Well, professor," enquired the grandmaster, "are you at last convinced that the Jesuits must be first driven out, and that this can only be done by force?"

"I am not convinced of your last assertion; but yet I submit, in obedience to my oath as a freemason, most worshipful grandmaster," replied the professor. "I shall endeavor, in my sphere of labor, to be restlessly active, so that we may attain our great end. I shall do my best to destroy religious faith in all the young men confided to me, by appealing always to the light of science. Our universities of the present day are justly considered to be the most successful mothers of religious unbelief. To the destruction of altars, to the downfall of thrones, to the universal fraternization of all nations by means of a universal republic without a God, without heaven, without hell; for liberty in our pleasures, for liberty of will, for liberty in life and death, shall my whole strength be dedicated in submission to the rule of our order!"

"The grandmaster nodded his head approvingly."

By all this it will be seen that Mr. Joseph Edward Charles Bishoff is an intellectual giant, and that it was in a happy hour that he set himself to the labor of producing lifelike works of fiction.

The poetry of the June number of this magazine consists of the Ninth Canto of Dr. Parsons's 'Purgatorio'; a sonnet by Mr. Aubrey De Vere, entitled "The Music of the Future," and expressing the hope or the belief that poetry may become more religious; a "May Carol," from the same hand, in which poetry has become religious and remains fine poetry; and a copy of verses to a "madonna," who is named for the Virgin Mary, who is addressed as a young woman is usually addressed on the subject of love and kisses, and who turns out to be a child. It is an unfortunate little exemplification of false taste.

The *Galaxy* opens with Mr. Justin McCarthy's account of M. Gambetta, whom Mr. McCarthy admires, and that to the extent of showing that M. Gambetta is at his best when he is addressing and captivating twenty thousand people at an open-air meeting in a French provincial town. Why not eighty or ninety thousand, is not stated. Still, in spite of this sort of exaggeration and similar evidences of haste, Mr. McCarthy continues to unite more fluency on more topics of a certain kind with more safeness of assertion and reasoning, than any other magazine writer of his calibre. In this way he is quite a wonder.

Other articles in the June *Galaxy* are by Mr. W. L. Alden, a pleasant humorist, who, however, is here rather tragical; Mr. John Burroughs; Dr. Coan; Mrs. M. H. W. Pumpelly, the mother of the well-known traveller; General Custer, whose "Life on the Plains" is more readable than usual this month, though not at its best, nor ever quite worthy of the General's opportunities; Mr. Cranch and others, among whom are Colonel J. F. Moline, whose long and careful discussion of the Iron Mask mystery we have already commented on, and Mr. De Forest, who continues his "Weth-

erel Affair." Had we not recently been urging the desirability of courteous and moderate language in criticism, and so recently that any slip on our own part would at once be noticed, we should here set down some extremely strong remarks about these latest chapters of Mr. De Forest's story. They certainly call for condemnation. How a clever writer could permit the advent into his work of so extraordinary a creature as the Fulton Market school-mistress exceeds our comprehension. Dr. Coan's article is an examination of the modern notion of the "sacredness of human life." He quotes Wilson (Kit North) to the effect that "there is many a humble dog whose life far transcends in value the lives of many men, women, and children"—a sentiment, as Dr. Coan remarks, which seems of quite heathen quality to most of Wilson's readers, but which a greater Scotchman than Wilson, and an equal dog lover, Scott, may well enough have held. Something like it he puts into the mouth of another famous Scotchman, Claverhouse, who in a way was not a sentimentalist, dear as his shade is to a certain order of sentimentalists. Our author notes the curious fact that the economic value of men, as ascertained ten years ago in three or four different markets, was about a thousand dollars. That sum or a little more would have covered the cost of an average negro field-hand; it is about the sum which a careful estimate puts upon the head of each family of German emigrants; it is about what was paid as bounty money to each of our recruits during the civil war, and may be taken to represent the value of the man to the War Department, and also to indicate how much he considered his risk of losing his life to be worth. But as to this last method of making the calculation, one might hesitate to accept the inference. It was not to promote longevity, indeed, that our volunteers went to the front; but probably not one in ten of them who took the bounty money expected that his life would be lost, or looked upon the money as what the risk was precisely worth. Probably the thousand dollars as little represented the value set upon life or risk by the "substitute" who took the bounty as it represented the value which the purchaser set upon his own.

Mr. "Philip Quidlibet," reviewing portions of Mr. Adams's eulogy of Mr. Seward, points out that a plausible surmise in reference to Mr. Seward's later career would be that in the evening of his life his interest passed from the internal affairs of state to the international. And on quitting office, he at once made a tour of the globe. The writer also remarks upon a passage in Mr. Seward's history not brought out in Mr. Adams's address, though upon one result of it Mr. Adams animadverted rather sharply: Mr. Seward, he said, was allowed to retire from public life with fewer honors than if he had been the most insignificant of presidents. But the extremely exasperating and, we may say, pig-headed course of President Johnson had thoroughly, and to a great extent justly, angered the people, and of this course Mr. Seward had for years been the apparent abettor; indeed, he was open in apology for Mr. Johnson, and in some of the least edifying performances of that most unedifying of Presidents, Mr. Seward, to the mortification alike of his friends and foes, was in public association with him. We need hardly wonder that he went out of office with no attendant demonstrations of applause.

"The French Imbroiglio of 1793" is the title given by Mr. Parton to the latest pages of his biography of Jefferson. It is readable; unless, indeed, one's moral indignation at Mr. Parton's way of handling his facts and one's intellectual dissatisfaction with the depths of the Partonian philosophy get the better of one's pleasure in the lucidity and rapid movement of the narrative and the author's singleness of purpose and eagerness. These qualities of Mr. Parton's style and spirit are so effective, that were there no such things as judges knowing in the law and juries with a prejudice in favor of facts as they are, Mr. Parton might be described as a good advocate, dangerous to historical truth, and useful to his clients. As it is, we expect no marked failure of justice by reason of his appearing in court. Nevertheless, it is not in nature to relish some of his exhibitions of partiality. For example, Hamilton being no friend of Jefferson, and being of a temperament and turn of mind the opposite of Jefferson's and oppositely useful to the state, it is roundly asserted that "he could be false to women for the same reason that he could disregard the will of the people. He did not look upon a woman as a person and an equal with whom faith was to be kept, any more than he recognized the people as the master and the owner whose will was law. Original in nothing, he took his morals from one side of the Straits of Dover and his politics from the other." We need not examine the large assortment of sweeping generalities here gathered into half a dozen sentences. But the matter of fact which "throws light upon his political course," and proves that he thought "woman not a person," and so on, is this: An exceptionally dirty and deplorable rascal offered to sell to Hamilton's political enemies some letters which would show that the Secretary of the Treasury had at one time had some pecuniary transactions of some sort or other with the disreputable person then offering the letters



for sale; presumably, said the Jeffersonians—and it was not said in a corner, nor under the breath, but with all the clamor possible on earth—presumably these pecuniary transactions involved the Secretary of the Treasury in the illegality of speculating in the public securities. Investigation followed by a committee of Congress; the members of the committee were perfectly satisfied as to the true character of the relations between Hamilton and the man Reynolds, and so reported; but one of the Congressmen took notes of the interviews with Reynolds and Hamilton, and these by mischance fell into the hands of an anti-Hamiltonian pamphleteer. What that gentleman did with them the imagination will readily picture. He published them, and the sharp correspondence which ensued between Hamilton and the Congressman who had originally taken the notes not proving satisfactory to the former, he put forth a very famous pamphlet. In this he showed with a curious frankness that he had allowed himself to be entrapped by a couple of blackmailers, of whom the wife had seduced him and the husband had extorted money as the price of silence, and continued extorting it in small sums until Hamilton at last wrenched himself free from the precious pair. Confessing the miserable truth about this harpy five years after she had taken flight, is being “false to woman,” says Mr. Parton. It was a very unsavory business, much to be regretted, but what there is in it to justify Mr. Parton's political and psychological reflections, the reader can see.

We have been requested to point out a marked resemblance between the *Atlantic's* poem called “By the Shore of the River” and a poem published some years ago by a Miss Nancy Priest, and called “Over the River.” In both the river is the river of death; in both there is a boatman who ferries the dead to the other shore; in both the other shore is fairer than this; in both there is a wayfarer who has seen many loved ones cross over, and who, apparently, is now willing, and more than willing, to cross over also. Such then being the general similarity of idea in the two poems, we give from each some lines which fairly show the degree of resemblance in the details and the phraseology. The *Atlantic's* poem speaks thus:

“Silently came a black boat o'er the billows;  
Stealthily grated the keel on the sand;  
Rustling footsteps were heard through the willows;  
There the dark Boatman stood, waving his hand,  
Whispering, ‘I come, o'er the shadowy river;  
She who is dearest must leave thee for ever.’

“Suns that were brightest and skies that were bluest  
Darkened and paled in the message he bore.  
Year after year went the fondest, the truest,  
Following that beckoning hand to the shore,  
Down to the river, the cold, grim river,  
Over whose waters they vanished for ever.”

Miss Priest's thus:

“Over the river the boatman pale  
Carried another, the household pet;  
Her brown curls waved in the gentle gale,  
Darling Minnie! I see her yet.  
She crossed on her bosom her dimpled hands,  
And fearlessly entered the phantom bark;  
We felt it glide from the silver sands,  
And all our sunshine grew strangely dark;  
We know she is safe, on the farther side,  
Where all the ransomed and angels be;  
Over the river, the mystic river,  
My childhood's idol is waiting for me.”

To secure a verdict of plagiarism in this case would be difficult, even had we evidence that the later of these two writers had before him while in the act of writing his poem the poem of his predecessor, and had deliberately modelled his own upon it. If there is anything of which all poets are free, it is the skiff of Charon and the river of death and the promised land to which their friends have gone before.

Mr. Robert Dale Owen, whose account of his school-days in Switzerland was so pleasing in last month's *Atlantic*, writes agreeably in this month's magazine concerning his voyage down the Rhine, and some of his father's friends and some of his father's vagaries, which last were beginning to be flagrant at about that same period. “The Hare and Many Foes,” by Mr. C. D. Shanley, and “Danish Society—its Revival,” by Mr. Clemens Petersen, are fresh and readable; and fresh, without being particularly readable, is “The Three Marys of Sharpville,” of whom, however, housewives will like to read. Mr. Howells's “Chance Acquaintance,” with its very engaging Miss Kitty, comes to an end—and an end that will please the many gentlemen who have taken a deep interest in Miss Kitty's disposal of her affections, and who early recognized in young Mr. Arburton what his English friends would call “a cad.” “Miss Mehetabel's Son” appears to be a rather insufficient and unskillful working up of a good idea.

In *Harper's Monthly Magazine*, Mr. Charles Nordhoff has a brief essay in which he asks “What Shall we do with Scroggs?”—Scroggs, as his name perhaps indicates—being an habitual criminal. Alaska, as a penal colony, is the right place for him, Mr. Nordhoff thinks, and there he should be placed

under guard, “in a position of stern adversity,” to use the words of Captain Maconochie, “from which he must work his way out by his own exertions, by diligent labor, and a constant course of self-command and self-denial.”

**Forty Years at Raritan.** Eight Memorial Sermons, with notes for a history of the Reformed Dutch Churches in Somerset County, N. J. By Abraham Messler, D.D., Pastor of the Church of Raritan. (New York: A. Lloyd.)—The eighth of these memorial sermons embraces a retrospect of forty years of service in a single pulpit, and, for those who listened to it, the bare statistics of the work of the pastor and the work of death in the congregation during that long period must necessarily have had an interest and a meaning of which the ordinary reader is hardly capable. To have survived all but five or six of the men who, as heads of families, were concerned in making out his call and effecting his settlement as pastor; to “have married persons, baptized their children, received them into the communion, and again baptized their grandchildren”—such has been Dr. Messler's experience, and the obvious reflections which grow out of it furnish the substance of his quinquennial discourses. Of much greater permanent value and general interest are the Historical Notes which make up the second half of the volume. These are a useful contribution to the civil as well as ecclesiastical history of New Jersey, and deserve a fuller index. None of the ministerial biographies equals in interest that of the first pastor of the Raritan churches, the Rev. Theodorus Jacobus Frelinghuysen, who, in culture, force of intellect, and liberality, has furnished a lasting example to his successors, and who was the ancestor of the family which in our politics has acquired a national reputation. There are a few good anecdotes, as of the absent-minded Rev. Mr. Van Harlingen, who always rode on horseback, and at church had a particular post to which he uniformly fastened his horse. This suggested to certain mischievous youngsters the prank of substituting another and more frisky animal for his own, with the result which had been anticipated, though the good man was able to dismount before being thrown. To guard against any similar deception, he ever afterwards carried in his pocket a piece of chalk, with which he marked the saddle under the flap. The following extract from Dr. Messler's eulogy of the Rev. Dr. How, a native Jerseyman who had preached four years in Savannah, is curious reading now:

“He naturally venerated the past, and loved to read the writings of the reformers. He loved them so much that he had no patience—perhaps this was his fault—with pretensions to new things. When the discussion on slavery opened, he took the ground that in itself it was not sinful. He had been in the South, and sympathized with the Christian people there. He knew well how conscientious and beautiful the character of many of them was; and it revolted all his feelings of justice and propriety to hear the bitter denunciations heaped upon them by men who were not worthy to unloose the latchet of their shoes; and, like a noble man as he was, he defended them earnestly and like a Christian gentleman. . . . He was a powerful preacher, and gave to his hearers the very marrow and fatness of the Gospel” (p. 222).

#### BOOKS OF THE WEEK.

| Authors.—Titles.   | Publishers.—Prices. |
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| American Educational Readers; four grades. . . . . (Iverson, Blakeman & Co.)                           |                     |
| Bird (J.), Protection against Fire. . . . . (Hurd & Honghton)  | \$1 50              |
| Büchner (Dr. H.), Dilettanti, Kunstliebhaber und Kenner in Alterthum, swd. . . . . (L. W. Schmidt)     |                     |
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| Cherbuliez (V.), Meta Holden's, swd. . . . . (F. W. Christern)   |                     |
| George (Rev. N. D.), Universalism Not of the Bible, 2d. ed. . . . . (Nelson & Phillips)                |                     |
| Crafts (Rev. W. F.), Through the Eye to the Heart. . . . . (Holt & Williams)                           |                     |
| Hadley (Prof. J.), Essays, Philological and Critical. . . . . (Holt & Williams)                        |                     |
| Howells (W. D.), A Chance Acquaintance. . . . . (J. R. Osgood & Co.)                                   | 1 50                |
| Houghton (Lord), Monographs, Personal and Social. . . . . (Holt & Williams)                            |                     |
| Hall (Rev. J.), Questions of the Day. . . . . (Dodd & Mead)  | 1 75                |
| Huber (Dr. J.), Die kirchlich-politische Wirksamkeit des Jesuiten-Ordens, swd. . . . . (L. W. Schmidt) |                     |
| Januash (Dr. R.), Der Musterschutz des deutschen Reiches, swd. . . . .                                 |                     |
| Der Markenschutz des deutschen Reiches, swd. . . . .   |                     |
| Kohl (Dr. J. G.), Ueber Klangmalerei in der Deutschen Sprache, swd. . . . . (L. W. Schmidt)            |                     |
| Langel (A.), L'Angleterre Politique et Sociale, swd. . . . . (F. W. Christern)                         |                     |
| Mayer (P.), Ueber Sturmfluten, swd. . . . . (L. W. Schmidt)  |                     |
| Nippold (Dr. F.), Ursprung der altkatholischen Bewegung, swd. . . . .                                  |                     |
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| Oncken (Dr. W.), Das deutsche Reich, 1872, swd. . . . . (L. W. Schmidt)                                |                     |
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| Polard (Josephine), Gipsy's Early Days. . . . . (Nelson & Phillips)                                    |                     |
| Richmond (Rev. J. F.), Diamonds, Polished and Unpolished. . . . .                                      |                     |
| Rösch (Prof. W.), Ueber das Wesen und die Geschichte der Sprache, swd. . . . . (L. W. Schmidt)         |                     |
| Sanger (G. P.), Statutes at Large, XLIII Congress, 3d session, swd. . . . . (Little, Brown & Co.)      |                     |
| Smedley (F. E.), The Colville Family: a Tale, swd. . . . . (T. B. Peterson & Bros.)                    | 0 50                |
| Lorrimer Littlewood. . . . .   | 1 75                |
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| Studer (J. H.), History of Columbus, Ohio. . . . . (Robt. Clarke & Co.)                                | 2 00                |
| Sweetser (H.), The Ministry We Need. . . . . (Am. Tract Society)                                       | 0 75                |
| The Work-shop, No. 5, swd. . . . . (E. Steiger)  | 0 50                |
| Zell (T. E.), Descriptive Hand-Atlas of the World, Parts 14-25, swd. . . . . (T. Elwood Zell)          |                     |

## Fine Arts.

## THE DI CESNOLA COLLECTION.

## TEMPLE-RELICS FROM GOLGOI.—II.

ONE clear date, in relation to the authority of Assyria over Cyprus, is afforded by a stele discovered at Larnaca, among the ruins of a rich edifice, and now in the museum in Berlin, representing Cyprus as paying tribute to Sargon, a king reigning in the eighth century before Christ. At this epoch commercial relations were cultivated between the Assyrians and Cypriotes, and among the products exported from the isle were sculptures in stone, for which of course the artists must have studied the taste of the grand monarchy. A multitude of the figures betray this Asiatic authority.

A splendid image, nine feet high, and in perfect preservation, gives in its most seductive form the impress of Chaldean hieratic influence. It is the colossus with the fluttering dove. The arms here are detached from the sides, and hold forward in one hand a libation-cup, in the other a dove whose wings are spread; the bird was fastened to the hand with two square wooden pins, and in like manner the forearms were attached to the figure with similar bolts easily replaced. An Assyrian face, softened to the utmost allurements of voluptuous good-nature, is covered with the familiar helmet-like bonnet of Cyprus, here richly embroidered; the beard is heavy and curled, but the six slender and effeminate ringlets escaping from the cap fall down as low as the armpits. The small mouth (without moustache) has been tinted red, and there is a trace of color on the necklace. The robe is bordered and flounced, but the feet are bare. The artist in this case has worked to the very limit of his ideal, and the head, in its own style, is of unsurpassable excellence. One is strongly tempted to claim this, not as a priestly, but as a divine figure, the perfected symbol of the creative power, Hermaphrodite Venus, whose worship was centred at Amathunta, on the southern coast of Cyprus. Among the smaller images, several of this deity are seen, divided by Mr. Newton into two types. The fair giant of nine feet was found in the night between the 6th and 7th of March. Another of heroic proportions, now placed on the right as you enter, and opposite the enormous head, is in perfect preservation and of thorough but rude finish, and entirely Asiatic in character; the enormous arms, bare but for their double bracelets, are extended stiffly along the sides; in statues of a later date this attitude is always explained by sacrificial accessories—a sprig like a *goupillon* or sprinkler, and a covered box, easily carried so as to show that it does not contain a liquid, and presumably filled with incense or perfume; here, however, the hands are empty, though closed; the feet are bare, and the narrow garment reaches them; the curled forelocks and beard give the face an Assyrian impress, but it retains the Cypriote family look, and on regarding the profile one is surprised at its Jewish character; an artist would consider it a godsend, for this barbaric, country king, worshipping Ashtoreth candidly and stiffly among a hieratic family of greater polish, is the satisfying image and ideal of Solomon.

The statues are all in a light-gray or drab calcareous stone found in Cyprus, and were doubtless painted; the fine earth which enclosed them, and which was found almost as much compacted as the ashes of Pompeii, and which could be liberated only after repeated soakings from the sculptures it amalgamated with and preserved, had, however, absorbed almost all trace of color. Of the same stone were the flags, which were neatly squared and some four inches thick.

It is impossible even to indicate the endless vagaries into which the types and their combinations drift. The changes rung upon the Egyptian and Asiatic character are varied to the most capricious extent; in the older styles the hair is lightly treated, or not at all, and the beard indicated only by its fan outline and the engraved trace on the cheek showing the limit of the beard-case. A livelier manner of treating the capillary features is, however, soon apparent, though still conventional; they are rudely massed, and then covered with a pricked pattern resembling *bonneterie* or knitting-work; the whole cheek will be wrought with this fine reticulation; a circumflex plaster of it will indicate the moustache, or the brows will be formed of arches in bas-relief, made up of a herring-bone pattern; the eyebrows are, notwithstanding, sometimes engraved in intaglio, each hair radiating appropriately. The *bonneterie* treatment merges very steadily and gradually into the Assyrian wealth of short curls, and there is a large head where the frisette on the brow is in a transition state, deeply honeycombed in a squarish zigzag pattern; this soon becomes the snail-shell ringlet of the Chaldean figures from Nineveh. The multitude of physiognomies becomes less interesting and more like the contents of antique museums as it undergoes the Hellenic influence. This makes the features cosmopolitan,

and deprives the countenance of its strong localism; a throng of heads appear in the characters of third or fourth-rate Greek art, showing infinite variety of type and coiffure. As the wreath displaces the bonnet as a sacrificial equipment, the hair becomes elaborately curled, imbedding the crown of myrtle, of palm, or of ivy-leaves and corymbi of the berries. Instead of the encased beard, the helmet-cap with jugularies tied ornamentally in front, we have the smiling features of a large-eyed acolyte ten years old, crowned with leaves like the palm or willow; one remarkable miniature head with beard encased wears the modern Turkish turban of many convolutions; one, with enormous frontal development, is bald, its defect concealed, in the style of Caesar, by a wreath. The distinct Hellenization of parts of Cyprus is first related in connection with the heroic period, when Teucer is said to have brought settlers from the Attic island of Salamis after the Trojan war. Far anterior to him, legend provides a Phœnician colonizer in the person of Cinyras, the founder of Paphos. Egyptian authority in the beginning of the nineteenth dynasty, if not perhaps two centuries earlier, in the time of Thothmes III.—Assyrian with Sargon—afterwards the Persian and Macedonian—these varied influences were bent successively on the island, leaving indelible traces on its religion, its art, and its industry. Towards the close of the Peloponnesian war, a native Cypriote king, Evagoras I., endeavored to imitate the splendors of Athenian civilization; and to his epoch we may attribute some of the sculpture which strikes the eye as a sort of provincial Greek. The archaeological interest of the museum here begins to wane, making a last standpoint, however, at the fine figure of a Hellenic priest, heroic size, his brow banded with the snail-shell curls, a suspicion of Cypriote sensuality in the deeply indented corners of his mouth, but in general bearing and likeness a Greek sacrificer, robed in priestly draperies, carefully elegant, the signet on his ring-finger, the incense and aspergillum in his hands.

One is naturally desirous to believe these strange hieratic figures as ancient as possible. It must be remembered, however, that religious art had the habit of keeping to old types from a sentiment of reverence, and that not all the heads with Egyptian head-dresses can fairly be assigned to the days when Abraham and his progeny were patriarchal sheikhs.

The worshippers who filled the modest temple of Golgoi with statues, tablets, and votive images were not all marine monotheists. Besides Venus, the temple offered sanctuary, as a Catholic church its chapels, to various intercessors. Hercules and Apollo were the favorites. The former is represented over and over again in all sizes. A fine large image of him in Egyptian workmanship shows him coiled with the lion's head, and clasping to his body his club and bow; the block supporting this statue has a highly curious painted bas-relief representing the same hero killing the dog Orthros (provided here with three heads), and taking away the cattle of Geryones from Eurytion, who defends them; the treatment here is modified Assyrian, indicating a difference of epoch between the divinity and the pedestal. Geryones, with six limbs and three shields, is very common. Among the smaller images of Hercules, one curious shows the lappels of the Egyptian cap escaping through the jaws of the lion's head forming the helmet. Of the painted tablets in low relief which decorated the walls of the temple, some are very curious, and one, of Greek spirit, represents Apollo Musagetes, seated, a cup in his right hand, his lyre leaned against his knee, receiving the homage of eleven dancers, while a symposium is going on in a corner where six wreathed persons recline and drink. The conflict of race and religion becomes more confusing as the collection is gradually separated in the mind; here are Greek heads fit for Jupiter, yet with something indescribably Eastern about them, and with set curls recalling the effeminate bust of Jupiter Trophonius at the Louvre. Here is a life-sized archer drawing his bow as he kneels; a broad quiver embossed with a lion's head is at his side; the work is free and modern, the attitude identical with that of Teucer on a coin. The Persian influence, forbidding rather than encouraging the representation of human figures, is not to be looked for among the statuary; but here is a pair of lions seated back to back in high relief, and under them the familiar winged globe. The lions resemble early Greek work like the well-known lions of Mycenæ, but the winged globe is on fire, with spreading rays; may this not point to the fire-idolatry of Persia?

Besides its stone devotees, the shrine was furnished with temple-shaped lamps, and hung with a vast quantity of votive objects like the waxen features preserved in Catholic churches. Fingers, hands with a perforation at the wrist, a hand with a poppy-pod, ears set with ear-drops and perforated in the centre, pairs of eyes, bouquets of jonquil, and a dove as large as a hen, are some of the curiosities preserved; but these are among the cabinet objects, which, including General di Cesnola's splendid *trouvailles* in the cemeteries at Idalion, we must reserve for a future notice.



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## THE WEEK IN TRADE AND FINANCE.

JUNE 2, 1873.

THE week in Wall Street has experienced no change from the extreme dullness of the previous one. Money has remained easy at 3 to 7 per cent., with the ruling rate at 6 per cent. Business in commercial paper has been dull, with a gradual settling of rates to 7 per cent. for prime, and 8 per cent. for good mercantile names. The failure of Messrs. Dodge & Co., lumber dealers, spoken of in our last, seems to have caused no great feeling of distress, the troubles in that business being entirely confined to the different firms composing the combination then referred to. The change in the Presidency of the French Republic caused no excitement in our different markets. The minimum rate of discount remains unchanged at the Bank of England, and stands at 6 per cent. The Bank gained £129,000 in bullion this week. The bank statement for the week ended May 31 is favorable, the banks having gained \$846,925 in their net reserve. The decrease of \$1,150,000 in specie is more than offset by a gain of \$1,579,400 legal tenders, while the liabilities of the banks in the shape of circulation and deposit show a decrease of \$1,672,500.

The following are the statements for the weeks ending May 21 and May 31:

|                    | May 21.       | May 31.       | Differences.     |
|--------------------|---------------|---------------|------------------|
| Loans.....         | \$279,816,300 | \$277,958,800 | Dec. \$1,857,500 |
| Specie.....        | 20,682,600    | 19,482,600    | Dec. 1,150,000   |
| Circulation.....   | 27,493,800    | 27,447,100    | Dec. 46,700      |
| Deposits.....      | 209,762,300   | 208,136,500   | Dec. 1,625,800   |
| Legal tenders..... | 42,752,900    | 44,324,300    | Inc. 1,571,400   |

The following shows the relation between the total reserve and the total liabilities:

|                                | May 21.       | May 31.       | Differences.     |
|--------------------------------|---------------|---------------|------------------|
| Specie.....                    | \$20,682,600  | \$19,482,600  | Dec. \$1,150,000 |
| Legal tenders.....             | 42,752,900    | 44,324,300    | Inc. 1,571,400   |
| Total reserve.....             | \$63,385,500  | \$63,814,300  | Inc. \$428,800   |
| Circulation.....               | 27,493,800    | 27,447,100    | Dec. 46,700      |
| Deposits.....                  | 209,762,300   | 208,136,500   | Dec. 1,625,800   |
| Total liabilities.....         | \$237,256,100 | \$235,583,600 | Dec. \$1,672,500 |
| 25 per cent. reserve.....      | 59,314,025    | 58,895,900    |                  |
| Excess over legal reserve..... | 4,972,475     | 4,918,400     | Inc. 54,075      |

The following table separates the National from the State banks:

|   | National.      | State.         | Total.        |
|---|----------------|----------------|---------------|
| Loans.....                                      | \$239,729,000  | \$38,229,800   | \$277,958,800 |
| Specie.....                                     | 17,769,200     | 1,712,800      | 19,482,000    |
| Legal tenders.....                              | 39,496,800     | 4,835,500      | 44,332,300    |
| Deposits.....                                   | 180,016,400    | 28,120,100     | 208,136,500   |
| Circulation.....                                | 27,404,100     | 43,000         | 27,447,100    |
| Percentage of reserve to total liabilities..... | 27 61-100 p.c. | 23 25-100 p.c. | 17 9-100 p.c. |

The suit of the United States against the Union Pacific Railroad Company and the election of a new board of directors in the Pacific Mail Steamship Company, have made the stocks of these two corporations fairly active; but with these two exceptions the market has remained in about the same condition in which we left it last week—dull. The tone of the market has been heavy, and prices on the speculative fancies were generally lower. Friday was a close holiday, otherwise the alarming despatches from Boston relative to the large fire which took place there on that day would in all probability have created an activity which would have been welcome to the brokers. But the Board was closed, and the holders of stocks were left "hanging by the eyelids" until later despatches arrived assuring them that things were not so bad as had been represented. The first effect of the result of the Pacific Mail election being made known was to send up the price of the stock  $2\frac{1}{2}$  per cent.; but at the advance holders availed themselves of the opportunity to sell, and the stock fell off to  $39\frac{1}{4}$ —the lowest point reached thus far in the present decline. The statement put forth by the Company is not favorably commented upon—in fact, not believed to be entirely true; it certainly misrepresents the value of its steamers, but this is but a repetition of what the Company has always done in making its annual statements. Union Pacific has declined to  $25\frac{1}{4}$  in consequence of the commencement of the Government suit against the Company early in the week.

Prices of investment stocks have been firm on New Jersey Central, Delaware, Lackawanna and Western, and Delaware and Hudson Canal, and,

weak on Michigan Central, and Chicago, Burlington and Quincy. There are rumors of a consolidation between the Delaware, Lackawanna and Western Railroad and the Delaware and Hudson Canal Companies. We have not yet learned any of the proposed details, but in case any consolidation is effected, the stockholders of the latter are justly entitled to, and will receive, a liberal dividend in equalizing the value of the two properties in the market.

|                      | Monday.   | Tuesday.  | Wednesday. | Thursday. | Friday.   | Saturday. | Sales Sh's |
|----------------------|-----------|-----------|------------|-----------|-----------|-----------|------------|
| N. Y. C. & H. R..... | 100% 100% | 100% 100% | 100% 100%  | 100% 100% | 100% 100% | 100% 100% | 43,200     |
| Lake Shore.....      | 90% 90%   | 90% 90%   | 90% 90%    | 90% 90%   | 90% 90%   | 90% 90%   | 25,100     |
| Erie.....            | 62% 63%   | 62% 63%   | 6% 63%     | 6% 63%    | 6% 63%    | 6% 63%    | 11,500     |
| Do. pld.....         | 74 75     | 75 75     | 74% 74%    | 74% 74%   | 74% 74%   | 74% 74%   |            |
| Union Pacific.....   | 30% 31    | 25% 30%   | 25% 26%    | 26% 27%   | 26% 27%   | 26% 27%   | 111,500    |
| Chl. & N. W.....     | 85        | 85% 84%   | 85 84      | 85 84     | 85 84     | 85 84     | 100        |
| Do. pld.....         | 85        | 85% 84%   | 85 84      | 85 84     | 85 84     | 85 84     | 100        |
| N. J. Central.....   | 105% 105  | 105% 105  | 105% 105   | 105% 105  | 105% 105  | 105% 105  | 20,100     |
| Rock Island.....     | 105% 105% | 105% 105% | 105% 105%  | 105% 105% | 105% 105% | 105% 105% | 12,000     |
| Mil. & St. Paul..... | 54% 54%   | 54 53%    | 54% 53     | 54% 53    | 54% 53    | 54% 53%   | 1,100      |
| Do. pld.....         | 73 73     | 72% 72%   | 72% 72%    | 72% 72%   | 72% 72%   | 72% 72%   | 1,100      |
| Wabash.....          | 68% 68%   | 67% 68%   | 67% 68%    | 67% 68%   | 67% 68%   | 67% 68%   | 11,000     |
| D. L. & Western..... | 105% 105% | 105% 105% | 105% 105%  | 105% 105% | 105% 105% | 105% 105% | 4,600      |
| B. H. & Erie.....    | 2% 2%     | 2% 2%     | 2% 2%      | 2% 2%     | 2% 2%     | 2% 2%     | 3,700      |
| O. & M.....          | 41% 41%   | 40% 42    | 40% 41     | 40% 41    | 40% 41    | 40% 41%   | 28,800     |
| C. C. & I. C.....    | 30% 30%   | 29% 31%   | 29% 30%    | 29% 30%   | 29% 30%   | 29% 30%   | 10,400     |
| W. U. Tel.....       | 84% 85%   | 84% 85%   | 84% 85%    | 84% 85%   | 84% 85%   | 84% 85%   | 82,600     |
| Pacific Mail.....    | 45% 46    | 44% 45%   | 44% 45%    | 44% 45%   | 44% 45%   | 44% 45%   | 23,600     |

The Middletown and Willimantic Railroad Company is last on the list of railroad defaulters. Its bonds were brought on the market some two years ago by a prominent firm of Wall Street brokers with a blare of trumpets and the significant advertisement of "to be sold at par and accrued interest." Reckless management, extravagant engineering, suspected or known collusion between a certain professional official and contractors, particularly in bridge-building, so disheartened those of the bondholders who had any sense that the bonds were forced on the market by them until the price reached 70, from which it has now dropped to 32, with "no takers."

The following shows the highest and lowest sales of the leading stocks at the Stock Exchange for the week ending May 31, 1873

Advices from Europe are very unfavorable to the success of some of the American railroad loans which have recently been taken over there for negotiation. Old and well-established enterprises coming on the market for loans, either to take up existing mortgages or to renew equipment and superstructure, meet with a favorable reception; but new matters, particularly of the kind known by the euphemism of construction companies, have no show whatever, and are very properly regarded as would be an association of burglars for the division of stolen plunder. Affairs such as that of the West Shore and Chicago, lately spoken of in these columns, are already reported to have been totally and ignominiously declined by European capitalists, who rather curtly and exactly characterized it as a new "Crédit Mobilier," without the appliances or ability that made the old one successful in fraud.

We hear that the coupons on the bonds of several new roads in the West will be passed when next due, and the fact is getting to be well established that we have been building more rapidly than the business of the country warranted. In all probability a large number of new enterprises will have a hard time of it for the next year or two.

Firmness has characterized the market for United States bonds, although the transactions in them for the week have been quite small in amount. \$5,000,000 of the called 5-20's have been received at the Treasury in Washington for payment, and advices from London report the arrival in that city of the Treasury officials with \$10,000,000 of the new 5 per cent. bonds sent out for the Syndicate. The resumption of the payment of the interest upon the bonds of the State of Louisiana has caused an advance of 5 to 6 per cent. in their market price. The land grant and income bonds of the Union Pacific Railroad Company have declined seriously, in consequence of the Government suit before alluded to.

The gold market has not been so active as might have been expected considering the large purchases made by the gold clique alluded to last week. The market has apparently taken care of itself. The rates for borrowing gold show no indication of a "corner." The Government disbursed last week \$3,936,200 for called 5-20's, against which it took in from customs \$1,574,000 for the same period. The internal revenue receipts for the month of May amount to \$12,330,000. The specie shipments for the week ending May 31 were \$526,992, of which \$481,992 were in silver bars.

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